

ADVISORY

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Table Comparison of The Changes to Several Laws Under the Job Creation Law

Below is full comparison of the changes made under the Job Creation Law to several laws in various business sectors. Any changes by the Job Creation Law in the relevant law will be marked with underline in the table below. The original texts are in Bahasa Indonesia, and the English version below is an unofficial translation of the original text which is meant for reference only.

A. Law No. 4 of 2009 on Mineral and Coal Mining (as amended, the “Mining Law”)

The Mining Law	Article 39 of the Job Creation Law
---	Article 128A
	(1) <u>Business actors who increase the added value of coal as referred to in Article 102 (2), can be given certain treatment with regard to their state revenue obligations under Article 128.</u>
	(2) <u>The certain treatment regarding their state revenue obligations in (1) above for activities that increase the added value of coal can be in form of 0% (zero percent) royalties.</u>
	(3) <u>The certain treatment referred to in (1) above will be regulated further under a Government Regulation.</u>
Article 162	Article 162
Any person who prevents or disrupts any mining business activities of a Mining Permit (IUP) holder, Special Mining Permit (IUPK) holder, People’s Mining Permit (IPR) holder or Rock Mining Permit (SIPB) holder who has complied with the requirements under Article 136 (2) may be sentenced to imprisonment (<i>kurungan</i>) for up to one year or fined up to IDR100 million.	Any person who prevents or disrupts any mining business activities of a Mining Permit (IUP) holder, Special Mining Permit (IUPK) holder, People’s Mining Permit (IPR) holder or Rock Mining Permit (SIPB) holder who has complied with the requirements under <u>Article 86F letter b</u> and Article 136 (2) may be sentenced to imprisonment (<i>kurungan</i>) for up to one year or fined up to IDR100 million.

B. Law No. 21 of 2014 on Geothermal (the “Geothermal Law”)

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Article 4	Article 4
(1) Geothermal Energy constitutes national property that is controlled by the state and utilized for the greatest welfare of the people.	(1) Geothermal Energy constitutes national property that is controlled by the state and utilized for the greatest welfare of the people.
(2) The control over Geothermal Energy by the state referred to in paragraph (1) is conducted by the Government, provincial government, and district/municipal government in accordance with their authority and according to the principle of benefit.	(2) The control over Geothermal Energy by the state referred to in paragraph (1) is conducted by the <u>Central Government, provincial Regional Government, and district/municipal Regional Government</u> governments in accordance with their authority according to the principle of benefit.
Article 5	Article 5
(1) The Geothermal Energy referred to in Article 4 (2) will be established by the Government:	(1) The Geothermal Energy referred to in Article 4 (2) will be established by the <u>Central Government</u> :
a. For the Direct Use of Geothermal Energy:	a. For the Direct Use of Geothermal Energy:
1. the location of which overlaps provincial boundaries, including production Forest Areas and protection Forest Areas;	1. the location of which overlaps provincial boundaries, including production Forest Areas and protection Forest Areas;
2. in conservation Forest Areas;	2. in conservation Forest Areas;
3. in water conservation areas; and	3. in water conservation areas; and
4. in territorial waters more than 12 (twelve) miles from the shoreline out to the high seas throughout Indonesia.	4. in territorial waters more than 12 (twelve) miles from the shoreline out to the high seas throughout Indonesia.
b. For the Indirect Use of Geothermal Energy throughout the territory of Indonesia, including	b. For the Indirect Use of Geothermal Energy throughout the territory of Indonesia, including

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in production Forest Areas, protection Forest Areas, conservation Forest Area, and territorial waters.	in production Forest Areas, protection Forest Areas, conservation Forest Area, and territorial waters.
(2) The Geothermal Energy referred to Article 4 (2) will be established by the provincial government for the Direct Use of Geothermal Energy:	(2) The Geothermal Energy referred to Article 4 (2) will be established by the <u>provincial Regional Government according to the norms, standards, procedures and criteria determined by the Central Government</u> for the Direct Use of Geothermal Energy:
a. the location of which overlaps the boundaries of districts/municipalities in one province, including production Forest Areas and protection Forest Areas; and	a. the location of which overlaps the boundaries of districts/municipalities in one province, including production Forest Areas and protection Forest Areas; and
b. in territorial waters not exceeding 12 (twelve) miles from the shoreline to the high seas and/or to archipelagic waters.	b. in territorial waters not exceeding 12 (twelve) miles from the shoreline to the high seas and/or to archipelagic waters.
(3) Geothermal Energy referred to Article 4 (2) will be established by the district/municipal government for the Direct Use of Geothermal Energy:	(3) Geothermal Energy referred to Article 4 (2) will be established by the <u>district/municipal Regional Government according to the norms, standards, procedures and criteria determined by the Central Government</u> for the Direct Use of Geothermal Energy:
a. in the district/municipal territory, including in production Forest Areas and protection Forest Areas; and	a. in the district/municipal territory, including in production Forest Areas and protection Forest Areas; and
b. in territorial waters not exceeding 1/3 (one-third) of the territorial waters over which the province has jurisdiction.	b. in territorial waters not exceeding 1/3 (one-third) of the territorial waters over which the province has jurisdiction.
Article 6	Article 6
(1) The Government's authority in the establishment of Geothermal Energy referred to in Article 5 (1) includes:	The <u>Central Government's</u> authority in the establishment of Geothermal Energy referred to in Article 5 (1) includes:

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a. to determine the national policy;	a. to determine the national policy;
b. to regulate Geothermal Energy;	b. to regulate Geothermal Energy;
c. to issue Geothermal License;	c. <u>Business Licenses (Perizinan Berusaha) in the Geothermal sector;</u>
d. to issue Direct Use License for areas over which it has jurisdiction;	d. <u>to issue norms, standards, guidelines, and criteria for Geothermal business for direct use;</u>
e. to direct and supervise;	e. to direct and supervise;
f. to manage data and information regarding geology and potential of Geothermal Energy;	f. to manage data and information regarding geology and potential of Geothermal Energy;
g. to check inventories and prepare the balance of Geothermal resources and reserves;	g. to check inventories and prepare the balance of Geothermal resources and reserves;
h. to conduct Geothermal Exploration, Exploitation, and/or utilization; and	h. to conduct Geothermal Exploration, Exploitation, and/or utilization; and
i. to encourage research, development and engineering.	i. to encourage research, development and engineering.
(2) The authority of the Government in the establishment of Geothermal Energy referred to in paragraph (1) will be exercised and/or coordinated by the Minister.	<u>Deleted.</u>
Article 7	Article 7
The provincial government's authority in the establishment of Geothermal Energy referred to in Article 5 (2) includes:	The <u>Regional Government's</u> authority in the establishment of Geothermal Energy referred to in Article 5 (2) <u>according to the norms, standards, procedures and criteria determined by the Central Government</u> includes:
a. to issue laws and regulations at the provincial level concerning the Direct Use of Geothermal Energy;	a. to issue laws and regulations at the provincial level concerning the Direct Use of Geothermal Energy;

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b. to issue Direct Use Licenses for areas over which they have jurisdiction;	b. to issue <u>Business Licenses (Perizinan Berusaha)</u> related to direct use for areas over which they have jurisdiction;
c. to direct and supervise;	c. to direct and supervise;
d. to manage data and information about geology and potential Geothermal Energy in the provincial territory; and	d. to manage data and information about geology and potential Geothermal Energy in the provincial territory; and
e. to check inventories and prepare the balance of Geothermal resources and reserves in the provincial territory.	e. to check inventories and prepare the balance of Geothermal resources and reserves in the provincial territory.
Article 8	Article 8
The authority of the district/municipal government in the establishment of Geothermal Energy referred to Article 5 (3), includes:	The authority of the <u>district/municipal Regional Government</u> in the establishment of Geothermal Energy referred to Article 5 (3) <u>according to the norms, standards, procedures and criteria determined by the Central Government</u> , includes:
a. to issue laws and regulations of the district/municipal level concerning the Direct Use of Geothermal Energy;	a. to issue laws and regulations of the district/municipal level concerning the Direct Use of Geothermal Energy;
b. to issue Direct Use Licenses for the area over which they have jurisdiction;	b. to issue <u>Business Licenses (Perizinan Berusaha)</u> related to direct use for the area over which they have jurisdiction;
c. to direct and supervise;	c. to direct and supervise;
d. to manage data and information about the geology and potential Geothermal Energy in the district/municipal territory; and	d. to manage data and information about the geology and potential Geothermal Energy in the district/municipal territory; and
e. to check inventories and prepare the balance of Geothermal resources and reserves in the district/municipal territory.	e. to check inventories and prepare the balance of Geothermal resources and reserves in the district/municipal territory.
Article 11	Article 11
(1) Any Person engaging in the Direct Use Geothermal business referred to in Article 9 (1) (a) must first hold a Direct Use License.	(1) Any Person engaging in the Direct Use Geothermal business referred to in Article 9 (1) (a) must first hold a

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	<u>Business Licenses (Perizinan Berusaha)</u> for Direct Use.
(2) The Direct Use License referred to in paragraph (1) will be issued by the Minister for Direct Use:	(2) The <u>Business Licenses (Perizinan Berusaha)</u> referred to in paragraph (1) will be issued by the <u>Central Government</u> for Direct Use:
a. the location of which overlaps provincial boundaries, including production Areas and protection Forest Areas;	a. the location of which overlaps provincial boundaries, including production Areas and protection Forest Areas;
b. in a conservation Forest Area;	b. in a conservation Forest Area;
c. in a water conservation area; and	c. in a water conservation area; and
d. in territorial waters exceeding 12 (twelve) miles from the shoreline out to the high seas throughout Indonesia.	d. in territorial waters exceeding 12 (twelve) miles from the shoreline out to the high seas throughout Indonesia.
(3) The Direct Use License referred to in paragraph (1) will be issued by the governor for a Direct Use Geothermal business:	(3) The <u>Business Licenses (Perizinan Berusaha)</u> related to Direct Use referred to in paragraph (1) will be issued by the governor <u>according to the norms, standards, procedures and criteria determined by the Central Government</u> for Direct Use:
a. the location of which overlaps the boundaries of districts/municipalities in one province, including production Forest Areas and protection Forest Areas; and	a. the location of which overlaps the boundaries of districts/municipalities in one province, including production Forest Areas and protection Forest Areas; and
b. in the territorial waters not extending more than 12 (twelve) miles from the shoreline to the high seas and/or to the archipelagic waters.	b. in the territorial waters not extending more than 12 (twelve) miles from the shoreline to the high seas and/or to the archipelagic waters.
(4) The Direct Use License referred to in paragraph (1) will be issued by the regent/mayor for a Direct Use Geothermal business:	(4) The <u>Business Licenses (Perizinan Berusaha)</u> related to Direct Use referred to in paragraph (1) will be issued by the regent/mayor <u>according to the norms, standards, procedures and criteria</u>

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	<u>determined by the Central Government</u> for Direct Use:
a. in the district/municipality's territory, including in a production Forest Area or a protection Forest Area; and	a. in the district/municipality's territory, including in a production Forest Area or a protection Forest Area; and
b. in territorial waters not extending further than 1/3 (one-third) from the territorial waters over which the province has jurisdiction.	b. in territorial waters not extending further than 1/3 (one-third) from the territorial waters over which the province has jurisdiction.
(5) The Direct Use License referred to in paragraph (2), paragraph (3), and paragraph (4) will be issued for an application submitted by Any Person.	(5) The <u>Business Licenses (Perizinan Berusaha)</u> related to Direct Use referred to in paragraph (2), paragraph (3), and paragraph (4) will be issued for an application submitted by Any Person.
(6) A Direct Use License will be issued upon Any Person referred to in paragraph (5) obtaining an environmental license (<i>izin lingkungan</i>) according to the laws and regulations on the protection and management of the environment.	(6) <u>Business Licenses (Perizinan Berusaha)</u> related to Direct Use will be issued upon Any Person referred to in paragraph (5) obtaining an <u>environmental approval (peretujuan lingkungan)</u> according to the laws and regulations on the protection and management of the environment.
(7) If the Direct Use Geothermal business referred to in paragraph (2), paragraph (3), and paragraph (4) is conducted in a Forest Area, the Direct Use License holder must obtain permission from the minister administering government affairs in the area of forestry.	<u>Deleted.</u>
Article 12	Article 12
(1) If the Direct Use Geothermal business is to be conducted in an area determined to be a Work Area, the governor or the regent/mayor must, before issuing the Direct Use License referred to in Article 11 (3) and (4), obtain approval from the Minister.	<u>Deleted.</u>
(2) If the Direct Use Geothermal business will be conducted in an area pending its determination as the Work Area, the	

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governor or the regent/mayor, before issuing a Direct Use License referred to Article 11 (3) and (4), must coordinate with the Minister.	
Article 13	Article 13
(1) The holder of a Direct Use License must conduct the Direct Use Geothermal business in the location which the License allows it to.	<u>Deleted.</u>
(2) The holder of a Direct Use License must conduct the Geothermal business as designated.	
Article 14	Article 14
The price of Direct Use Geothermal Energy will be determined by the Government.	<u>Deleted.</u>
Article 15	Article 15
Further provisions on the Direct Use Geothermal business referred to in Article 11 and Article 12, and Geothermal pricing policy referred to Article 14 will be issued in a Government Regulation.	Further provisions on <u>norms, standards, procedures, and criteria</u> for the Direct Use Geothermal business referred to in <u>Article 11</u> , and Geothermal pricing will be issued in a Government Regulation.
Article 23	Article 23
(1) A Business Entity that is engaged in the Indirect Use Geothermal business referred to in Article 9 (1) point (b) must first hold a Geothermal License.	(1) A Business Entity that is engaged in the Indirect Use Geothermal business referred to in Article 9 (1) point (b) must first hold a <u>Business License (Perizinan Berusaha)</u> in the Geothermal sector.
(2) The Geothermal License referred to in paragraph (1) will be issued by the Minister to a Business Entity according to the result of a tender for the Work Area.	(2) The <u>Business License (Perizinan Berusaha)</u> in the Geothermal sector referred to in paragraph (1) will be issued by the <u>Central Government</u> to a Business Entity according to the result of a tender for the Work Area.
---	(3) Further provisions on the issuance of the <u>Business License (Perizinan Berusaha)</u> in the Geothermal sector for <u>Indirect Use</u> will be provided in a Government Regulation.

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Article 24	Article 24
(1) A Geothermal License referred to in Article 23 (2) must contain at least the following items:	<u>If the activities of an Indirect Use Geothermal business are conducted within a Forest Area, the holder of the Business License (Perizinan Berusaha) related to Geothermal must fulfil the the Business License (Perizinan Berusaha) in the forestry sector in accordance with the laws and regulations.</u>
a. the name of the Business Entity;	
b. the corporate taxpayer ID number;	
c. the line of business;	
d. the term of the Geothermal License;	
e. the rights and obligations of the Geothermal License holder;	
f. the Work Area; and	
g. the staged reversion of the Work Area.	
(2) If an Indirect Use Geothermal business is conducted in a Forest Area, the Geothermal License holder must:	<u>Deleted.</u>
a. obtain:	
1. a borrow-to-use license for the use of a production Forest Area or a protection Forest Area; or	
2. a license for the use of a conservation Forest Area,	
from the minister administering government affairs in the area of forestry; and	
b. conduct the Geothermal business activities with due regard to the main purpose of sustainable forest management in accordance with the laws and regulations.	

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3) The License to use an area referred to in paragraph (2) point (a) (2) will be issued through the environmental service use permit.	
Article 25	<u>Deleted.</u>
If an Indirect Use Geothermal business is conducted in a water conservation area, the Geothermal License holder must obtain permission from the minister administering government affairs in the area of marine affairs.	
Article 36	Article 36
(1) The Minister may revoke the Geothermal License referred to in Article 33 point (c) if the Geothermal License holder:	(1) The <u>Central Government</u> may revoke the <u>Business License (Perizinan Berusaha)</u> in the Geothermal sector referred to in Article 33 point (c) if the Geothermal business actor:
a. has committed a breach of any of the terms of the Geothermal License; and/or	a. has committed a breach of any of the terms of the <u>Business License (Perizinan Berusaha)</u> in the Geothermal sector; and/or
b. fails to comply laws and regulations.	b. fails to comply with laws and regulations.
(2) The Minister, before revoking the Geothermal License referred to in paragraph (1), will first give 6 (six) months to the Geothermal License holder to comply with the prevailing terms.	(2) The <u>Central Government</u> , before revoking the <u>Business License (Perizinan Berusaha)</u> in the Geothermal sector referred to in paragraph (1), will first give 6 (six) months to the Geothermal business actor to comply with the terms of this Law.
Article 37	Article 37
The Minister may cancel the Geothermal License referred to in Article 33 point (d) if:	The <u>Central Government</u> may cancel the Geothermal License referred to in Article 33 point (d) if:
a. the Geothermal License holder is found to have provided incorrect/untrue data, information, or descriptions in the application; or	a. the Geothermal business actor is found to have provided incorrect/untrue data, information, or descriptions in the application; or

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b. the Geothermal License is declared cancelled under a court ruling.	b. the <u>Business License (Perizinan Berusaha)</u> in the Geothermal sector is declared cancelled under a court ruling.
Article 38	Article 38
(1) If a Geothermal License is terminated for a reason referred to in Article 33, the Geothermal License holder must comply with and settle any obligations it may have under the laws and regulations.	(1) If the <u>Business License (Perizinan Berusaha)</u> in the Geothermal sector is terminated for a reason referred to in Article 33, the <u>Geothermal business actor</u> must comply with and settle any obligations it may have under the laws and regulations.
(2) The obligations of a Geothermal License holder referred to in paragraph (1) will be declared complied with upon approval from the Minister.	(2) The obligations of a <u>Geothermal business actor</u> referred to in paragraph (1) will be declared complied with upon approval from the <u>Central Government</u> .
(3) The Minister will issue approval for the termination of the Geothermal License upon the Geothermal License holder restoring the environmental functions around his/her Work Area and complying with the other obligations referred to in paragraph (1).	(3) The <u>Central Government</u> will issue approval for the termination of the <u>Business License (Perizinan Berusaha)</u> in the Geothermal sector upon the <u>Geothermal business actor</u> restoring the environmental functions around his/her Work Area and complying with the other obligations referred to in paragraph (1).
Article 40	Article 40
(1) If a Business Entity holding a Geothermal License fails to comply with or commits a breach of the provisions of Article 26 (2), Article 27 (1) or (3), Article 31 (3), and/or Article 32 (2) it will have imposed on it administrative sanctions.	(1) If a Business Entity holding a <u>Business License (Perizinan Berusaha)</u> in the <u>Geothermal sector</u> fails to comply with or commits a breach of the provisions of <u>Article 11, Article 20 (2), Article 23 (1), Article 26 (1) or (2), Article 27 (1) or (3), Article 31 (3), and/or Article 32 (2)</u> it will have imposed on it administrative sanctions.
(2) The administrative sanctions referred to in paragraph (1) will be in the form of:	(2) The administrative sanctions referred to in paragraph (1) will be in the form of:
a. written warnings;	a. written warnings;
b. a suspension of all Exploration, Exploitation, or utilization activities; and/or	b. a suspension of all activities;

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c. the revocation of the Geothermal License.	c. <u>administrative fines</u> ; and/or
	d. the revocation of the <u>Business License (Perizinan Berusaha)</u> .
(3) Ancillary provisions on the procedures for imposing administrative sanctions referred to in paragraph (1) and paragraph (2) will be issued in a Government Regulation.	(3) Ancillary provisions <u>for the criteria, type, fine amount and procedures</u> for imposing administrative sanctions as referred to <u>in paragraph (2)</u> will be issued in a Government Regulation.
Article 42	Article 42
(1) To use any parcels of state-owned land, land rights, communal land, and/or Forest Area in the Work Area, the Direct Use License holder or the Geothermal License holder must first agree on the use of the land with the state-owned land users or holders of rights or licenses in the forestry field according to the laws and regulations.	(1) To use any parcels of state-owned land, land rights, communal land, and/or Forest Area in the Work Area, the holder of a <u>Business License (Perizinan Berusaha)</u> related to Direct Use or a <u>Geothermal related Business License (Perizinan Berusaha)</u> must first agree on the use of the land with the state-owned land users or holders of rights or <u>Business Licenses (Perizinan Berusaha)</u> in the forestry field according to the laws and regulations.
(2) The Minister before conducting Exploration to determine the Work Area referred to in Article 17 (1), resolve the use of the land with the state-owned land users or holders of rights or licenses in the forestry field according to the laws and regulations.	(2) The <u>Central Government</u> before conducting Exploration to determine the Work Area referred to in Article 17 (1), resolve the use of the land with the state-owned land users or holders of rights or <u>Business Licenses (Perizinan Berusaha)</u> in the forestry field according to the laws and regulations.
(3) The resolution referred to in paragraph (1) and paragraph (2) will be reached through deliberation to reach a consensus on the purchase, swap, reasonable compensation, recognition or any other form of compensation to the state-owned land users or right holders.	(3) The resolution referred to in paragraph (1) and paragraph (2) will be reached through deliberation to reach a consensus on the purchase, swap, reasonable compensation, recognition or any other form of compensation to the state-owned land users or right holders.
(4) If a Geothermal business is conducted by a state-owned entity specifically assigned by the Government, the land	(4) If a Geothermal business is conducted by a state-owned entity specifically assigned by the Government, the land

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for it will be made available according to the laws and regulations.	for it will be made available according to the laws and regulations.
Article 43	Article 43
(1) A Direct Use License holder or Geothermal License holder, before conducting a Geothermal business on state-owned land, land rights, communal land, and/or a Forest Area must:	(1) A holder of a <u>Business License (Perizinan Berusaha)</u> related to Direct Use or a <u>Geothermal related Business License (Perizinan Berusaha)</u> , before conducting a Geothermal business on state-owned land, land rights, communal land, and/or a Forest Area must:
a. present:	a. present:
1. a Direct Use License or a certified copy of it; or	1. a <u>Business License (Perizinan Berusaha)</u> related to Direct Use or a certified copy of it; or
2. a Geothermal License or a certified copy of it;	2. a <u>Geothermal related Business License (Perizinan Berusaha)</u> or a certified copy of it;
b. convey the objectives and the location in which the business is to be conducted; and	b. convey the objectives and the location in which the business is to be conducted; and
c. provide the settlement or give a guarantee of the settlement agreed to by the state-owned land users and/or right holders referred to in Article 42.	c. provide the settlement or give a guarantee of the settlement agreed to by the state-owned land users and/or right holders referred to in Article 42.
(2) Upon a Direct Use License holder or a Geothermal License holder complying with his/her obligations referred to in paragraph (1), the state-owned land users and/or right holders must allow the Direct Use License holder or Geothermal License holder to conduct its Geothermal business on the relevant land.	(2) Upon a <u>Business License (Perizinan Berusaha)</u> related to Direct Use or a <u>Geothermal related Business License (Perizinan Berusaha)</u> holder complying with his/her obligations referred to in paragraph (1), the state-owned land users and/or right holders must allow the <u>Business License (Perizinan Berusaha)</u> related to Direct Use or a <u>Geothermal related Business License (Perizinan Berusaha)</u> holder to conduct its Geothermal business on the relevant land.

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Article 46	Article 46
No Person may obstruct or prevent a Geothermal business already holding:	No Person may obstruct or prevent a Geothermal business already holding <u>Business Licenses (Perizinan Berusaha) related to Geothermal and has complied with the obligations referred to in Article 42.</u>
a. a Direct Use License; or	
b. a Geothermal License	
and complying with the obligations referred to in Article 42, from being conducted.	
Article 47	Article 47
A Direct Use License holder has the right to engage in the Geothermal business which the license allows it to.	A Direct Use Business Actor has the right to engage in the Geothermal business which the <u>Business License (Perizinan Berusaha)</u> allows it to.
Article 48	Article 48
A Direct Use License holder must:	A <u>Direct Use business actor</u> must:
a. be cognizant of and abide by the prevailing laws and regulations on occupational safety and health and the protection and management of the environment, and meet the prevailing standards;	a. be cognizant of and abide by the prevailing laws and regulations on occupational safety and health and the protection and management of the environment, and meet the prevailing standards;
b. control environmental pollution and/or damage, and prevent, mitigate, and restore the environmental functions;	b. control environmental pollution and/or damage, and prevent, mitigate, and restore the environmental functions;
c. submit work plans and budget plans to the Minister, governor, or regent/mayor responsible; and	<u>Deleted.</u>
d. submit a written report on the implementation of the work plans and budget plans and Direct Use Geothermal business activities periodically to the Minister, governor, or regent/ mayor responsible.	<u>Deleted.</u>

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Article 49	Article 49
(1) A Direct Use License holder must comply with his/her obligations in the form of:	A Direct Use business actor must comply with his/her obligations in the form of:
a. production royalties;	a. <u>regional taxes; and</u>
b. regional taxes; and	b. <u>regional levies.</u>
c. regional levies.	
(2) Obligations to pay regional taxes as referred to in paragraph (1) point (b) and regional levies as referred to in paragraph (1) point (c) shall be in accordance with laws and regulations.	<u>Deleted.</u>
Article 50	Article 50
(1) Any Person holding a Direct Use License that fails to comply with or breaches the provisions of Article 48 point (b), point (c), point (d), and/or Article 49 (1) will have imposed on it administrative sanctions.	(1) Any Person <u>engaging in the Direct Use Geothermal business</u> that fails to comply with or breaches the provisions of Article 48 <u>point (a)</u> or point (b) or Article 49 will have imposed on it administrative sanctions.
(2) The administrative sanctions referred to in paragraph (1) will be in the form of:	(2) The administrative sanctions referred to in paragraph (1) will be in the form of:
a. written warnings;	a. written warnings;
b. a suspension of all Direct Use Geothermal business activities; and/or	b. a suspension of all Direct Use Geothermal business activities; and/or
c. the revocation of the Direct Use License.	c. the revocation of the <u>Business License (Perizinan Berusaha).</u>
(3) Ancillary provisions on the procedures for imposing administrative sanctions referred to in paragraph (1) and paragraph (2) will be issued in a Government Regulation.	(3) Ancillary provisions on the procedures for imposing administrative sanctions referred to in paragraph (1) and paragraph (2) will be issued in a Government Regulation.
Article 56	Article 56
(1) A Business Entity holding a Geothermal License that fails to comply with or	(1) A Business Entity holding <u>Business License (Perizinan Berusaha)</u> in the

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breaches the provisions of Article 52 (1) point (b), point (c), point (d), point (g), point (h), point (i), and point (j), Article 53 (1), and/or Article 54 (1) and (4) will have imposed on it administrative sanctions.	<u>Geothermal sector</u> that fails to comply with or breaches the provisions of Article 52 (1) point (b), point (c), point (d), point (g), point (h), point (i), and point (j), Article 53 (1), and/or Article 54 (1) and (4) will have imposed on it administrative sanctions.
(2) Administrative sanctions referred to paragraph (1) will be in the form of:	(2) Administrative sanctions referred to paragraph (1) will be in the form of:
a. written warnings;	a. written warnings;
b. suspension of all of the Exploration, Exploitation, or utilization activities; and/or	b. suspension of all of the Exploration, (sic)
	c. Exploitation, or utilization activities (sic); and/or
c. revocation of Geothermal Licenses.	d. revocation of Geothermal Licenses.
(3) Ancillary provisions for the procedures for imposing administrative sanctions referred to paragraph (1) and paragraph (2) will be issued in a Government Regulation.	(3) <u>Ancillary provisions for the criteria, type, fine amount and procedures for imposing administrative sanctions as referred to in paragraph (2) will be issued in a Government Regulation.</u>
Article 59	Article 59
(1) The Minister will determine the direction and supervision of Direct Use Geothermal businesses carried out by the provincial government and the district/municipal government.	(1) The <u>Central Government</u> will determine the direction and supervision of Direct Use Geothermal businesses.
(2) The Minister may delegate to the governors to determine the direction and supervision of the conduct of Direct Use Geothermal businesses carried out by the district/municipal government.	(2) <u>The direction and supervision for the conduct of Direct Use Geothermal will be regulated further under a Government Regulation.</u>
Article 60	<u>Deleted.</u>
(1) The Minister, governor or regent/mayor in accordance with their authority provide guidance and supervision over the conduct of Direct Use Geothermal	

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businesses by the Direct Use License holders.	
(2) The governor and regent/mayor in accordance with their authority must report the conduct of Direct Use Geothermal each year to the Minister.	
Article 67	Article 67
Any Person that knowingly engages in a Direct Use Geothermal business without the Direct Use License referred to in Article 11 (1) will be sentenced to imprisonment for up to 2 (two) years or fined up to IDR6,000,000,000 (six billion Rupiah).	Any Person that knowingly engages in a Direct Use Geothermal business without the <u>Business License (Perizinan Berusaha)</u> referred to in Article 11 (1) <u>causing victims/harm to health, safety and/or the environment</u> will be sentenced to imprisonment for up to 2 (two) years or fined up to IDR6,000,000,000 (six billion Rupiah).
Article 68	Article 68
Any Person holding a Direct Use License who knowingly engages in a Direct Use Geothermal business other than in the location which the License allows it to as referred to in Article 13 (1) will be sentenced to imprisonment for up to 2 (two) years and 6 (six) months or fined up to IDR7,000,000,000 (seven billion Rupiah).	Any Person holding a <u>Business License (Perizinan Berusaha)</u> related to Direct Use as referred to in Article 11 (1) who knowingly engages in a Direct Use Geothermal business other than in the location which the <u>Business License (Perizinan Berusaha)</u> allows it to, <u>causing victims/harm to health, safety and/or the environment</u> will be sentenced to imprisonment for up to 2 (two) years and 6 (six) months or fined up to IDR7,000,000,000 (seven billion Rupiah).
Article 69	Article 69
Any Person holding a Direct Use License who knowingly engages in a Geothermal business not in accordance with its designation referred to in Article 13 (2) will be sentenced to imprisonment for up to 3 (three) years or fined up to IDR10,000,000,000 (ten billion Rupiah).	Any Person who knowingly engages in a Geothermal business <u>for Direct Use</u> not in accordance with its designation, <u>causing victims/harm to health, safety and/or the environment</u> will be sentenced to imprisonment for up to 3 (three) years or fined up to IDR10,000,000,000 (ten billion Rupiah).
Article 70	Article 70
A Business Entity holding a Geothermal License that knowingly conducts Exploration, Exploitation, and/or utilization other than in the Work Area referred to in Article 20 (2) will	A Business Entity holding a <u>Business License (Perizinan Berusaha)</u> in the <u>Geothermal sector</u> that knowingly conducts Exploration, Exploitation, and/or utilization other than in

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be sentenced to imprisonment for up to 7 (seven) years or fined up to IDR70,000,000,000 (seventy billion Rupiah).	the Work Area referred to in Article 20 (2) <u>will be fined up to IDR70,000,000,000 (seventy billion Rupiah).</u>
Article 71	Article 71
A Business Entity that knowingly engages in an Indirect Use Geothermal business without the Geothermal License referred to in Article 23 (1) will be sentenced to imprisonment for up to 6 (six) years or fined up to IDR50,000,000,000 (fifty billion Rupiah).	A Business Entity that knowingly engages in an Indirect Use Geothermal business without the <u>Business License (Perizinan Berusaha) in the Geothermal sector</u> referred to in Article 23 (1) <u>causing victims/harm to health, safety and/or the environment will be fined up to IDR50,000,000,000 (fifty billion Rupiah).</u>
Article 72	Article 72
A Business Entity holding a Geothermal License that knowingly uses its Geothermal License other than in accordance with its designation referred to in Article 26 (1) will be sentenced to imprisonment for up to 10 (ten) years or fined up to IDR100,000,000,000 (one hundred billion Rupiah).	A Business Entity holding a <u>Business License (Perizinan Berusaha) in the Geothermal sector</u> that knowingly uses its <u>Business License (Perizinan Berusaha) in the Geothermal sector</u> other than in accordance with its designation referred to in Article 26 (1) will be fined up to IDR100,000,000,000 (one hundred twenty billion Rupiah) (sic).
Article 73	Article 73
Any Person who knowingly obstructs or prevents the Direct Use Geothermal business of a Direct Use License holder referred to in Article 46 point (a) from being conducted will be sentenced to imprisonment for up to 1 (one) year or fined up to IDR100,000,000 (one hundred million Rupiah).	Any Person who knowingly obstructs or prevents <u>Geothermal business of a Business License (Perizinan Berusaha) holder</u> referred to in <u>Article 46</u> from being conducted will be sentenced to imprisonment for up to <u>7 (seven) years</u> or fined up to <u>IDR70,000,000,000 (seventy billion Rupiah).</u>
Article 74	<u>Deleted.</u>
Any Person who knowingly obstructs or prevents the Indirect Use Geothermal business of a Geothermal License holder referred to in Article 46 point (b) from being conducted will be sentenced to imprisonment for up to 7 (seven) years or fined up to IDR70,000,000,000 (seventy billion Rupiah).	

C. Law No. 30 of 2009 on Electric Power (the “Electric Power Law”)

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<p style="text-align: center;">Article 1.10</p> <p>An electric power supply license is a license to engage in the public electric power supply business.</p>	<p style="text-align: center;">Article 1.10</p> <p><u>Business Licensing related to electric power means the licensing of electric power supply businesses for the public interest, electric power supply businesses for their own interests, and/or electric power support services businesses.</u></p>
<p style="text-align: center;">Article 1.11</p> <p>An operating license is a license to supply electric power for the holder’s own interests.</p>	<p><u>Deleted.</u></p>
<p style="text-align: center;">Article 1.12</p> <p>A Business Area is an area that the Government determines as an area in which the electric power supply business may be engaged in by electric power distributing and/or selling entities.</p>	<p style="text-align: center;">Article 1.12</p> <p>A Business area is an area that the <u>Central Government</u> has determined as an area in which <u>a business entity does business in the distribution and/or sale of electric power.</u></p>
<p style="text-align: center;">Article 1.15</p> <p>The Central Government, hereinafter referred to as “the Government,” is the President of the Republic of Indonesia who holds the power in the government of the Republic of Indonesia referred to in the 1945 Constitution of the Republic of Indonesia.</p>	<p style="text-align: center;">Article 1.15</p> <p>The Central Government is the President of the Republic of Indonesia who holds power in the government of the Republic of Indonesia, <u>assisted by the Vice President and ministers</u> referred to in the 1945 Constitution of the Republic of Indonesia.</p>
<p style="text-align: center;">Article 1.16</p> <p>Regional governments are the governors, regents, or mayors and regional instrumentalities that act as the elements of the administrators of the Regional Administration.</p>	<p style="text-align: center;">Article 1.16</p> <p>The <u>Regional Government</u> is <u>the head of the region</u> as one of the Regional Government’s administrators who leads the <u>management of government affairs which are within the authority of the autonomous region.</u></p>
<p style="text-align: center;">Article 3</p> <p>(1) The supply of electric power must be under the control of the state, exercised by the Government and regional governments according to the principle of regional autonomy.</p>	<p style="text-align: center;">Article 3</p> <p>(1) The supply of electric power is under the control of the state and implemented by <u>the Central Government and Regional Governments</u> according to the principle of regional autonomy <u>in accordance with the norms, standards, procedures</u></p>

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<p>(2) To supply electric power referred to in paragraph (1), the Government and regional governments according to their respective authorities must establish policies, regulations, and supervise and manage the electric power supply business.</p>	<p><u>and criteria determined by the Central Government.</u></p> <p>(2) To supply electric power as referred to in paragraph (1), <u>the Central Government and Regional Governments</u> according to their respective authorities will determine policies, issue regulations, supervise and engage in the electric power supply business.</p>
<p style="text-align: center;">Article 4</p> <p>(1) The electric power supply business of the Government and regional governments must be managed by state-owned enterprises and region-owned enterprises.</p> <p>(2) Private entities, cooperatives, and self-reliant communities may participate in the electric power supply business.</p> <p>(3) With respect to the supply of electric power referred to in Article 3 paragraph (1), the Government and regional governments must set up funds for:</p> <ol style="list-style-type: none"> a. indigent community groups; b. the construction of electric power supply facilities in less-developed regions; c. the construction of electric power facilities in remote and contiguous areas; and d. the construction of rural electric power infrastructure. 	<p style="text-align: center;">Article 4</p> <p>(1) The <u>Central Government and the Regional Governments according to their respective authorities will engage in the electric power supply business according to the norms, standards, procedures and criteria determined by the Central Government</u> through state-owned enterprises and region-owned enterprises.</p> <p>(2) Private entities, cooperatives and self-reliant communities may also engage in the electric power supply business.</p> <p>(3) To supply power as referred to in Article 3 paragraph (1), <u>the Central Government and Regional Governments</u> will establish funds for:</p> <ol style="list-style-type: none"> a. indigent community groups; b. the construction of electric power supply facilities in less developed regions; c. the construction of electric power infrastructure in remote and contiguous areas; and d. the construction of rural electric power infrastructure.
<p style="text-align: center;">Article 5</p> <p>(1) The authority of the Government in the electric power sector must include:</p> <ol style="list-style-type: none"> a. adopting the national electric power policy; 	<p style="text-align: center;">Article 5</p> <p>(1) The authority of <u>the Central Government</u> in the electric power sector includes:</p> <ol style="list-style-type: none"> a. adopting national electric power policy;

The Electric Power Law	Article 42 of the Job Creation Law
<ul style="list-style-type: none"> b. issuing electric power laws and regulations; c. preparing guidelines, standards, and the criteria for the electric power sector; d. establishing guidelines for consumer electric power tariffs; e. developing a national electric power plan; f. determining business areas; g. issuing cross-border electric power sales and purchase licenses; h. issuing electric power supply business licenses to entities: <ul style="list-style-type: none"> i. whose business areas overlap provinces; ii. which are state-owned-entities; and iii. that sell power and/or rent electrical grids to Government-appointed electric power supply license holders; i. issuing operating licenses for installation facilities which overlap provinces; j. establishing consumer electric power tariffs for Government-appointed electric power supply license holders; k. granting approval for electric power sales and electrical grid rental prices to Government-appointed electric power supply license holders; l. granting approval for excess power sales to Government-appointed operating license holders; m. issuing electric power support service licenses to state-owned enterprises or foreign investors/a majority of the shares of which are owned by foreign investors; 	<ul style="list-style-type: none"> b. issuing electric power laws and regulations; c. establishing guidelines, standards, and criteria in the electric power sector; d. issuing guidelines regarding the electric power tariffs charged to consumers; e. developing a national electric power plan; f. determining business areas; g. issuing <u>Business Licenses for cross-border electric power sales and purchases</u>; h. issuing <u>Business Licenses to supply electric power</u>; i. determining electric power tariffs charged to consumers for <u>holders of a Business License to supply electric power for the public interest</u>; j. granting approval for electric power sales and electric power grid rental prices <u>charged by holders of a Business License to supply electric power for the public interest</u>; k. granting approval for sales of excess electric power <u>by holders of a Business License to supply electric power for their own interests</u>; l. <u>issuing Business Licenses to provide electric power support services</u>; m. issuing <u>Business Licenses to provide</u> electric power support services to state-owned enterprises and foreign investors or majority foreign owned entities;

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<ul style="list-style-type: none"> n. issuing electric power grid utilization licenses for telecommunications, multimedia, and informatics for grids owned by Government-appointed electric power supply license holders or Government-appointed operating license holders; o. directing and supervising business entities engaged in the electric power sector whose licenses were issued by the Government; p. appointing electric power inspector(s); q. establishing functional positions for electric power inspectors at every level of the governments; and r. imposing administrative sanctions on business entities whose licenses were issued by the Government. 	<ul style="list-style-type: none"> n. issuing <u>Business Licenses</u> to use electric power grids for telecommunications, multimedia, and informatics to <u>holders of a Business License to supply electric power and holders of an Operating License issued by the Central Government</u>; o. <u>directing and supervising business entities engaged in the electric power sector</u>; p. appointing electric power inspectors; q. establishing functional positions for electric power inspectors at every level of government; and r. imposing administrative sanctions on business entities whose <u>Business Licenses</u> were issued by the <u>Central Government</u>.
<p>(2) The authority of the provincial governments in the electric power sector must include:</p> <ul style="list-style-type: none"> a. issuing provincial regulations on the electric power sector; b. developing a general provincial electric power plan; c. issuing electric power supply licenses to entities whose business areas overlap districts/municipalities; d. issuing operating licenses for installation facilities which overlap districts/municipalities; e. determining the consumer electric power tariffs for provincial government-appointed power supply license holders; f. granting approval for electric power sales and electric power grid rental prices to entities that sell power and/or rent electrical 	<p>(2) The authority of <u>Regional Governments</u> in the electric power sector includes:</p> <ul style="list-style-type: none"> a. issuing provincial regulations on the electric power sector; b. developing a general provincial electric power plan; c. directing and supervising entities engaged in the electric power sector whose <u>Business Licenses were issued by the Regional Government according to norms, standards, procedures, and criteria determined by the Central Government</u>; d. appointing provincial electric power inspectors; and e. imposing administrative sanctions on entities whose <u>Business Licenses were issued by the provincial Regional Government</u>.

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<p>power grids to entities whose licenses were issued by the provincial government;</p> <p>g. granting approval for excess electric power sales to operating license holders whose licenses were issued by the provincial government;</p> <p>h. issuing electric power grid utilization licenses for telecommunications, multimedia, and informatics for grids owned by provincial government-appointed power supply license holders or provincial government-appointed operating license holders;</p> <p>i. directing and supervising entities engaged in the electric power sector whose licenses were issued by the provincial government;</p> <p>j. appointing provincial electric power inspectors; and</p> <p>k. imposing administrative sanctions on entities whose licenses were issued by the provincial government.</p> <p>(3) The authorities of district/municipal governments in the electric power sector must cover:</p> <p>a. issuing district/municipal regulations on the electric power sector;</p> <p>b. developing a general district/municipal electric power plan;</p> <p>c. issuing electric power supply licenses to entities whose business areas are within their district/municipality;</p> <p>d. issuing operating licenses for installation facilities within their districts/municipalities;</p> <p>e. determining consumer electric power tariffs for provincial government-appointed power supply license holders;</p>	<p><u>Paragraph (3) is deleted.</u></p>

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<ul style="list-style-type: none"> f. granting approval for electric power sales and electric power grid rental prices to entities that sell electric power and/or rent electric power grids to entities whose licenses were issued by the district/municipal government; g. issuing power service licenses to entities a majority of the shares of which are owned by domestic investors; h. granting approval for excess electric power sales to operating license holders whose licenses were issued by the district/municipal government; i. issuing electric power grid utilization licenses for telecommunications, multimedia, and informatics for electric power grids owned by district/municipal government-appointed power supply license holders or district/municipal government-appointed operating license holders; j. directing and supervising entities engaged in the electric power sector whose licenses were issued by the district/municipal government; k. appointing district/municipal electric power inspector(s); and l. imposing administrative sanctions on entities whose licenses were issued by the district/municipal government. 	
Article 7	Article 7
<p>(1) The National Electric Power Plan must be based on the national energy policy and adopted by the Government following consultations with the House of Representatives of the Republic of Indonesia.</p> <p>(2) The National Electric Power Plan referred to in paragraph (1) must be</p>	<p>(1) The National Electric Power Plan must be prepared based on the national energy policy and adopted by <u>the Central Government</u>.</p> <p>(2) The preparation of the National Electric Power Plan referred to in paragraph (1)</p>

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<p>prepared with the involvement of the regional governments.</p> <p>(3) Regional electric power plans must be prepared according to the National Electric Power Plan and be adopted by regional governments following consultation with Regional Houses of Representatives.</p> <p>(4) The Minister must issue guidelines for the preparation of the general electric power plans referred to in paragraphs (1) and (3).</p>	<p>must involve <u>the Regional Governments</u>.</p> <p>(3) Guidelines for the preparation of the <u>National Electric Power Plan</u> referred to in paragraph (1) will be <u>issued in a Government Regulation</u>.</p> <p><u>Paragraph (4) is deleted.</u></p>
Article 10	Article 10
<p>(1) An electric power supply business for the public interest referred to in Article 9 a. may engage in the following activities:</p> <ul style="list-style-type: none"> a. electric power generation; b. electric power transmission; c. electric power distribution; and/or d. electric power sales. <p>(2) An electric power supply business for the public interest referred to in paragraph (1) may engage in the above activities in an integrate manner.</p> <p>(3) The electric power supply business for the public interests referred to in paragraph (2) may be engaged in by 1 (one) entity within 1 (one) business area.</p> <p>(4) The limited business areas referred to in paragraph (3) also apply to electric power supply businesses limited to electric power distribution and/or electric power sales.</p> <p>(5) The business areas referred to in paragraphs (3) and (4) will be determined by the Government.</p>	<p>(1) An electric power supply business for the public interest referred to in Article 9 a., may engage in the following activities:</p> <ul style="list-style-type: none"> a. electric power generation; b. electric power transmission; c. electric power distribution; and/or d. electric power sales. <p>(2) An electric power supply business for the public interest referred to in paragraph (1) may engage in the above activities in an integrated manner.</p> <p>(3) <u>The Integrated</u> electric power supply business for the public interest referred to in paragraph (2) may be engaged in by 1 (one) entity within 1 (one) <u>Business Area</u>.</p> <p>(4) <u>If the generation, transmission, distribution and sales of electric power are integrated, the generation and/or transmission business may extend outside the Business Area.</u></p> <p>(5) <u>An electric power supply business for the public interest engaged in electric power distribution and/or sales may be engaged in by 1 (one) business entity in 1 (one) Business Area.</u></p>

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---	(6) <u>The Business Areas referred to in paragraphs (3), (4), and (5) will be regulated further under a Government Regulation.</u>
<p style="text-align: center;">Article 11</p> <p>(1) The electric power supply business for the public interest referred to in Article 10 may be engaged in by state-owned enterprises, region-owned enterprises, private enterprises, cooperatives, and self-reliant communities engaged in the electric power supply sector.</p> <p>(2) The state-owned enterprises referred to in paragraph (1) must be given priority in the electric power supply business for the public interest.</p> <p>(3) In areas that do not receive electric power services, the Government or regional government according to their respective authorities, must give region-owned enterprises, private enterprises, or cooperatives an opportunity to engage in the integrated electric power supply business.</p> <p>(4) If no region-owned enterprise, private enterprise or cooperative can supply electric power in such an area, the Government must mandate a state-owned enterprise(s) to supply electric power.</p> <p>---</p>	<p style="text-align: center;">Article 11</p> <p>(1) The electric power supply business for the public interest referred to in Article 10 may be engaged in by state-owned enterprises, region-owned enterprises, private enterprises, cooperatives, and self-reliant communities engaged in the electric power supplies sector.</p> <p>(2) The state-owned enterprises referred to in paragraph (1) will be given priority in the electric power supply business for the public interest.</p> <p>(3) <u>In their electric power supply business for the public interest, state-owned enterprises, region-owned enterprises, private enterprises, cooperatives, and community self-reliance groups, must prioritize domestic products and potential.</u></p> <p>(4) <u>In areas that do not yet receive electric power services, the Central Government or Regional Government, according to their respective authorities, must give region-owned enterprises, private enterprises, or cooperatives an opportunity to engage in the integrated electric power supply business.</u></p> <p>(5) If no region-owned enterprise, private enterprise or cooperative can supply electric power in such an area, the <u>Central Government</u> must mandate a state-own enterprise(s) to supply electric power.</p>
<p style="text-align: center;">Article 13</p> <p>The electric power supply business for the supplier's own interests referred to in Article 12 may be engaged in by government</p>	<p style="text-align: center;">Article 13</p> <p>(1) The electric power supply business for the supplier's own interests referred to</p>

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<p>agencies, regional governments, state-owned enterprises, region-owned enterprises, private enterprises, cooperatives, sole proprietorships, and other institutions/entities.</p>	<p>in Article 12 <u>may only be engaged in the supplier's own use.</u></p> <p>(2) The electric power supply business for their own interests may be engaged in by <u>Central Government agencies, Regional Government agencies, state-owned enterprises, region-owned enterprises, private enterprises, cooperatives, individuals, and other institutions/business entities.</u></p> <p>(3) <u>In their electric power supply businesses for their own interests, Central Government agencies, Regional Government agencies, state-owned enterprises, region-owned enterprises, private enterprises, cooperatives, individuals, and other institutions/business entities, must prioritize domestic products and potential.</u></p>
Article 16	Article 16
<p>(1) The electric power support services referred to in Article 15 a. includes:</p> <ul style="list-style-type: none"> a. electric power supply installation consultancy; b. electric power supply installation construction and performance; c. electric power installation checking and testing; d. operating electric power installations; e. electric power installation maintenance; f. research and development; g. education and training; h. laboratory testing power tools and equipment; i. the certification of power tools and equipment; j. the certification of electric power technicians' competence; and k. other support services directly associated with supplying electric power. 	<p>(1) The electric power support services referred to in Article 15 a. includes:</p> <ul style="list-style-type: none"> a. power installation consultancy; b. power installation construction and performance; c. power installation checking and testing; d. operating power installations; e. power installation maintenance; f. research and development; g. education and training; h. laboratory testing power tools and equipment ; i. the certification of power tools and equipment; j. the certification of electric power technicians' competence; k. <u>the certification of electric power support service business entities; and</u>

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<p>(2) The electric power support services business referred to in paragraph (1) is conducted by state-owned enterprises, region-owned enterprises, private enterprises, and cooperatives with the certification, classification, and qualifications required under the prevailing laws and regulations.</p> <p>(3) In their electric power support services businesses, state-owned enterprises, region-owned enterprises, private enterprises, and cooperatives must prioritize domestic products and potential.</p> <p>(4) The certification, classification, and qualification of electric power support services businesses will be regulated further under a Government Regulation.</p>	<p>i. other support services directly associated with supplying electric power.</p> <p>(2) Electric power supporting services business referred to in paragraph (1) is conducted by state-owned enterprises, region-owned enterprises, private enterprises, public service entities, and cooperatives with certification, classification, and qualification.</p> <p><u>Paragraph (3) is deleted and the original paragraph (4) becomes paragraph (3).</u></p> <p>(3) The certification, classification, and qualification of electric power support services will be regulated further under a Government Regulation.</p>
<p style="text-align: center;">Article 18</p> <p>The electric power supply business and electric power supporting business referred to in Article 8 require a business license.</p>	<p style="text-align: center;">Article 18</p> <p>The electric power supply businesses and electric power support services businesses referred to in Article 8 must hold a <u>Business License</u>.</p>
<p style="text-align: center;">Article 19</p> <p>(1) Licenses to supply electric power include:</p> <ul style="list-style-type: none"> a. electric power supply licenses; and b. operating licenses. <p>(2) Any person engaged in supplying electric power supply for the public interest must hold an electric power supply license.</p>	<p style="text-align: center;">Article 19</p> <p>(1) <u>The Business License referred to in Article 18 may be issued to business entities for the following activities:</u></p> <ul style="list-style-type: none"> a. <u>supplying electric power for the public interest;</u> b. <u>supplying electric power for the supplier's own interests; and</u> c. <u>providing electric power support services.</u> <p>(2) <u>The Business License to supply electric power for the public interest referred to in paragraph (1) a. may also cover the cross-border sale and purchase of electric power.</u></p>

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	(3) <u>Anyone engaged in the electric power supply business for the public interest, for their own interests, or electric power support services business must hold the Business License referred to in paragraph (1).</u>
<p data-bbox="459 495 591 527" style="text-align: center;">Article 20</p> <p data-bbox="233 562 818 695">The electric power supply licenses referred to in Article 19 paragraph (1) a. will be issued subject to the type of business referred to in Article 10 paragraph (1).</p>	<p data-bbox="841 495 954 527"><u>Deleted.</u></p>
<p data-bbox="459 732 591 764" style="text-align: center;">Article 21</p> <p data-bbox="233 800 818 898">The Government or regional governments according to their respective authorities will issue electric power supply licenses.</p>	<p data-bbox="1068 732 1200 764" style="text-align: center;">Article 21</p> <p data-bbox="841 800 1425 1066">(1) <u>The Central Government or Regional Government</u> according to their respective authorities will issue <u>Business Licenses.</u></p> <p data-bbox="841 968 1425 1066">(2) <u>The Central Government will determine the norms, standards, procedures, and criteria for Business Licenses.</u></p>
<p data-bbox="459 1100 591 1131" style="text-align: center;">Article 22</p> <p data-bbox="233 1167 818 1299">The operating licenses referred to in Article 19 paragraph (1) b. must be issued to power plants with a specific capacity to be specified in a Ministerial Regulation.</p>	<p data-bbox="1068 1100 1200 1131" style="text-align: center;">Article 22</p> <p data-bbox="841 1167 1425 1335"><u>The Business License to supply electric power for their own interests</u> referred to in Article 19 paragraph (1) b. must be issued to power plants with a specific capacity to be specified in a <u>Government Regulation.</u></p>
<p data-bbox="459 1371 591 1402" style="text-align: center;">Article 23</p> <p data-bbox="233 1438 818 1570">(1) The operating licenses referred to in Article 22 will be issued by the Government or regional government according to their respective authorities.</p> <p data-bbox="233 1774 818 1873">(2) The operating licenses referred to in paragraph (1) will be issued upon the administrative, technical, and</p>	<p data-bbox="1068 1371 1200 1402" style="text-align: center;">Article 23</p> <p data-bbox="841 1438 1425 1738">(1) <u>Holders of a Business License to supply electric power for their own interests</u> may sell excess electric power for the benefit of the public interest upon receipt of approval from the <u>Central Government</u> or Regional Government <u>according to the norms, standards, procedures, and criteria determined by the Central Government.</u></p> <p data-bbox="841 1774 1425 1898">(2) <u>The sales of excess electric power for the public interest referred to in paragraph (1) is allowed if the area has not been reached by the holder of a</u></p>

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<p>environmental requirements being satisfied.</p> <p>(3) Holders of an operating license may sell excess electric power for the benefit of the public interest upon receipt of approval from the Government or regional government according to their respective authorities.</p>	<p><u>Business License to supply electric power.</u></p>
<p>Article 24</p> <p>The licenses required to supply electric power and operating licenses will be regulated further under a Government Regulation.</p>	<p>Article 24</p> <p>The <u>Business Licenses required</u> to supply electric power <u>for the public interest and for the supplier's own interests</u> will be regulated further under a Government Regulation.</p>
<p>Article 25</p> <p>(1) The electric power support services business referred to in Article 15 a. and Article 16 paragraph (2) may be engaged in upon obtaining a power service license from the Government or regional government according to their respective authorities.</p> <p>(2) Electric power service licenses and power industry licenses will be issued in accordance with the prevailing laws and regulations.</p>	<p>Article 25</p> <p><u>Business Licenses</u> to provide electric power support services must be issued according to the laws and regulations <u>on industries.</u></p>
<p>Article 27</p> <p>(1) In engaging in the power supply business referred to in Article 10 paragraph (1), holders of a license to supply electric power for the public interest are entitled to:</p> <ol style="list-style-type: none"> a. cross rivers or lakes, either above or beneath the surface; b. cross the sea, either above or beneath the surface; c. cross public roads and railway tracks; d. enter public or personal places for temporary use; e. use land and cross above or beneath the land; 	<p>Article 27</p> <p>(1) In engaging in the power supply business referred to in Article 10 paragraph (1), holders of a <u>Business License to supply power for the public interest</u> are entitled to:</p> <ol style="list-style-type: none"> a. cross rivers or lakes, either above or beneath the surface; b. cross the sea, either above or beneath the surface; c. cross public roads and railway tracks; d. enter public or personal places for temporary use; e. use land and cross above or beneath the land;

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<p>f. cross above or below buildings built on or beneath the land; and</p> <p>g. trim and/or fell hindering trees.</p> <p>(2) In engaging in the activities referred to in paragraph (1), holders of a license to supply electric power must do so in accordance with the prevailing laws and regulations.</p>	<p>f. cross above or below buildings built on or beneath the land; and</p> <p>g. trim and/or fell hindering trees.</p> <p>(2) In engaging in the activities referred to in paragraph (1), holders of a <u>Business License</u> to supply electric power must comply with the prevailing laws and regulations.</p>
<p style="text-align: center;">Article 28</p> <p>Holders of a license to supply electric power supply must:</p> <p>a. provide electric power which meets the quality and reliability standards;</p> <p>b. provide as good services as possible to consumers and the public;</p> <p>c. comply with the electric power safety conditions; and</p> <p>d. prioritize domestic products and potential.</p>	<p style="text-align: center;">Article 28</p> <p>Holders of a <u>Business License</u> to supply electric power <u>for the public interest</u> must:</p> <p>a. provide electric power which meets the quality and reliability standards;</p> <p>b. provide as good services as possible to consumers and the public;</p> <p>c. comply with the electric power safety conditions; and</p> <p>d. prioritize domestic products and potential.</p>
<p style="text-align: center;">Article 29</p> <p>(1) Consumers are entitled to:</p> <p>a. receive good services;</p> <p>b. receive continuous electric power of good quality and reliability;</p> <p>c. receive the electric power to which they are entitled at reasonable prices;</p> <p>d. obtain repair services in the event of an electric power disruption; and</p> <p>e. receive compensation in the event of a blackout caused by errors and/or carelessness on the part of the holder of a license to supply electric power according to the conditions under the power purchase agreement.</p> <p>(2) Consumers must:</p> <p>a. take security measures to prevent dangers that may arise from the use of electric power;</p> <p>b. safeguard electric power installations owned by consumers;</p>	<p style="text-align: center;">Article 29</p> <p>(1) Consumers are entitled to:</p> <p>a. receive good services;</p> <p>b. receive continuous electric power of good quality and reliability;</p> <p>c. receive the electric power to which they are entitled at reasonable prices;</p> <p>d. obtain repair services in the event of an electric power disruption; and</p> <p>e. receive compensation in the event of a blackout caused by errors and/or carelessness on the part of the holder of a <u>Business License</u> to supply electric power <u>for the public interest</u> according to the conditions under the power purchase agreement.</p> <p>(2) Consumers must:</p> <p>a. take security measures to prevent dangers that may arise from the use of electric power;</p> <p>b. safeguard electric power installations owned by consumers;</p>

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<p>c. use electric power according to their appropriation; d. pay their electricity bills; and e. abide by the technical requirements that apply in the electric power sector.</p> <p>(3) Consumers will be held responsible if because of their negligence they inflict a loss on the holder of a license to supply electric power.</p> <p>(4) The responsibilities of consumers referred to in paragraph (3) will be regulated further under a Ministerial Regulation.</p>	<p>c. use electric power according to their appropriation; d. pay their electricity bills; and e. abide by the technical requirements in the electric power sector.</p> <p>(3) Consumers will be held responsible if because of their negligence they inflict a loss on the holder of a <u>Business License</u> to supply electric power.</p> <p>(4) The responsibilities of consumers referred to in paragraph (3) will be regulated further under a <u>Government Regulation</u>.</p>
Article 30	Article 30
<p>(1) The use of land to exercise their rights referred to in Article 27 requires holders of a license to supply electric power to provide land compensation or pay compensation to the holders of land rights, buildings and plants according to the law.</p> <p>(2) The compensation for land referred to in paragraph (1) must be paid for the direct use of land by holders of a license to supply electric power as well as for buildings and plants on the land.</p> <p>(3) The compensation referred to in paragraph (1) must be paid for the indirect use of land by holders of a license to supply electric power which leads to a decline in the economic value of the land, buildings or plants over which electric power transmission grid crosses.</p> <p>(4) The compensation referred to in paragraph (3) will be regulated further under a Government Regulation.</p> <p>(5) If the land used by holders of a license to supply electric power includes parts of land controlled by holders of land</p>	<p>(1) The use of land to exercise their rights referred to in Article 27 requires holders of a <u>Business License</u> to supply electric power to provide land compensation or pay compensation to the holders of land rights, buildings and plants according to the law.</p> <p>(2) The land compensation referred to in paragraph (1) must be given for the direct use of land by holders of a <u>Business License</u> to supply electric power as well for the buildings and plants on the land.</p> <p>(3) The compensation referred to in paragraph (1) must be given for the indirect use of land by holders of a <u>Business License</u> to supply electric power which leads to a decline in the economic value of the land, buildings or plants over which the electric power transmission grid crosses.</p> <p>(4) The compensation referred to in paragraph (3) will be regulated further under a Government Regulation.</p> <p>(5) If the land used by the <u>business actors</u> for supplying electric power includes parts of land controlled by holders of</p>

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<p>titles or users of state-owned land, before starting their activities they must settle any land problems according to the law on Agrarian Affairs.</p> <p>(6) If the land used by holders of a license to supply electric power includes communal land, any land problems must be settled according to the law on Agrarian Affairs while taking account customary law.</p>	<p>land titles or users of state-owned land, before starting their activities, they must settle any land problems according to the law on Agrarian Affairs.</p> <p>(6) If the land used by holders of a <u>Business License</u> to supply electric power includes communal land the land problems must be settled according to the law on Agrarian Affairs while taking account customary law.</p>
<p style="text-align: center;">Article 32</p> <p>(1) The procedures for determining and providing the land compensation or paying compensation referred to in Article 30 must be based on the law.</p> <p>(2) The land compensation or compensation referred to in Article 30 must be borne by the holder of a license to supply electric power.</p>	<p style="text-align: center;">Article 32</p> <p>(1) The procedures for determining and providing land compensation or paying compensation referred to in Article 30 must be based on the law.</p> <p>(2) The land compensation or compensation referred to in Article 30 must be borne by the holder of a <u>Business License</u> to supply electric power.</p>
<p style="text-align: center;">Article 33</p> <p>(1) The sales prices of electric power and the rental tariffs of electric power grids must be determined according to sound business principles.</p> <p>(2) The Government or regional government, according to their respective authorities, will approve the sales prices of electric power and the rental tariffs of electric power grids.</p> <p>(3) Holders of a license to supply electric power may not charge electric power sales prices or electric power grid rental tariffs without approval from the Government or regional government.</p>	<p style="text-align: center;">Article 33</p> <p>(1) The sales prices of electric power and the rental tariffs of electric power grids must be determined according to sound business principles.</p> <p>(2) <u>The Central Government or the Regional Government</u>, according to their respective authorities, must approve the sales prices of electric power and the rental tariffs of electric power grids <u>according to the norms, standards, procedures and criteria determined by the Central Government.</u></p> <p><u>Paragraph (3) is deleted.</u></p>

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<p style="text-align: center;">Article 34</p> <p>(1) The Government will, according to its authority, set the electric power tariffs for consumers with approval from the House of Representatives of the Republic of Indonesia.</p> <p>(2) Regional governments will, according to their authorities, determine the electric power tariffs for consumers in other countries with approval from the Regional Legislative Council according to the guidance provided by the Government.</p> <p>(3) If a regional government cannot determine the electric power tariffs referred to in paragraph (2), the Government will determine the electric power tariffs for the region with approval from the House of Representatives of the Republic of Indonesia.</p> <p>(4) The electric power tariffs for consumers referred to in paragraph (1), paragraph (2) and paragraph (3) must be determined while maintaining the balance between the interests of the nation, the regions, consumers and business actors engaged in supplying electric power.</p> <p>(5) The electric power prices for consumers referred to in paragraphs (1) and (2) can be different for each region in one business area.</p>	<p style="text-align: center;">Article 34</p> <p>(1) The <u>Central</u> Government determines the electric power prices for consumers with approval from the House of Representatives of the Republic of Indonesia.</p> <p>(2) The electric power prices for consumers referred to in paragraph (1) must be determined while maintaining a balance between the interests of the nation, the regions, consumers and <u>the holders of a Business License</u> to supply electric power.</p> <p>(3) The electric power prices for consumers referred to in paragraphs (1) and (2) may be differently for each region in one business area.</p> <p><u>The original paragraphs (2) and (3) are deleted.</u></p>
<p style="text-align: center;">Article 35</p> <p>Holders of a license to supply electric power are prohibited from applying electric power tariffs for consumers which are inconsistent with those determined by the Government or regional government referred to in Article 34.</p>	<p style="text-align: center;">Article 35</p> <p>Holders of a <u>Business License</u> to supply electric power are prohibited from charging electric power prices for consumers which are inconsistent with those determined by the <u>Central Government</u> referred to in Article 34.</p>
<p style="text-align: center;">Article 37</p> <p>To engage in the sale and purchase of electric power with other countries holders of</p>	<p style="text-align: center;">Article 37</p> <p>To engage in the sale and purchase of electric power with other countries holders of</p>

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a license to supply electric power must have a permit from the Government.	a <u>Business License</u> to supply electric power for the public interest must have a <u>Business License to do so</u> .
<p style="text-align: center;">Article 44</p> <p>(1) All electric power business activities must comply with the provisions on electric power safety.</p> <p>(2) The provisions on electric power safety referred to in paragraph (1) are aimed at creating:</p> <ol style="list-style-type: none"> a. reliable and secure conditions for installations; b. danger-free conditions for human beings and other creatures; and c. environment-friendly conditions. <p>(3) The provisions on electric power safety referred to in paragraph (1) cover:</p> <ol style="list-style-type: none"> a. complying with the standards for electric power equipment and users; b. safeguarding electric power installations; and c. safeguarding electric power users. <p>(4) Any electric power installation in operation must have an operational worthiness certificate.</p> <p>(5) All electric power equipment and users must meet the Indonesian national standards.</p> <p>(6) Any technician employed in an electric power business must hold a competence certificate.</p> <p>(7) The provisions on electric power safety, operational worthiness certificates, Indonesian national standards and competence certificates referred to in paragraph (1) up to paragraph (6) will be regulated further under a Government Regulation.</p>	<p style="text-align: center;">Article 44 (sic)</p> <p>(1) All electric power business activities must comply with provisions on electric power safety.</p> <p>(2) The provisions on electric power safety referred to in paragraph (1) are aimed at creating:</p> <ol style="list-style-type: none"> a. reliable and secure conditions for installations; b. danger-free conditions for human beings and other creatures; and c. environment-friendly conditions. <p>(3) The provisions on electric power safety referred to in paragraph (1) cover:</p> <ol style="list-style-type: none"> a. complying with the standards for electric power equipment and users; b. safeguarding electric power installations; and c. safeguarding electric power users. <p>(4) Any electric power installation in operation must have an operational worthiness certificate.</p> <p>(5) All electric power equipment and users must meet the Indonesian national standards.</p> <p>(6) Any technician employed in an electric power business must hold a competence certificate.</p> <p>(7) The provisions on electric power safety, operational worthiness certificates, the Indonesian national standards, and competence certificates referred to in paragraph (1) to paragraph (6) will be regulated further under a Government Regulation.</p>

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<p style="text-align: center;">Article 45</p> <p>(1) Electric power grids can only be used for telecommunications, multimedia and informatics if it does not disrupt the continued supply of electric power.</p> <p>(2) The use of electric power grids referred to in paragraph (1) requires approval from the owner of the grid.</p> <p>(3) The use of electric power grids referred to in paragraph (1) requires an electric power grid use license issued by the Government or regional government according to their respective authorities.</p> <p>(4) The use of electric power grids referred to in paragraphs (1) and (2) will be regulated further under a Government Regulation.</p>	<p style="text-align: center;">Article 45</p> <p>(1) Electric power grids can only be used for telecommunications, multimedia and informatics if it does not disrupt the continued supply of electric power.</p> <p>(2) The use of electric power grids referred to in paragraph (1) requires approval from the owner of the grid.</p> <p>(3) <u>The owner of the grid</u> referred to in paragraph (1) must <u>submit a report to the Central Government.</u></p> <p>(4) The use of electric power grids referred to in paragraphs (1), (2) and (3) will be regulated further under a Government Regulation.</p>
<p style="text-align: center;">Article 46</p> <p>(1) The Government or regional governments, according to their respective authorities, will develop and supervise the supply of electric power in relation to:</p> <ul style="list-style-type: none"> a. the supply and use of energy sources for power plants; b. the satisfaction of the requirements for an adequate supply of electric power; c. compliance with all technical terms; d. compliance with the environmental protection requirements; e. prioritizing the use of locally made goods and services; f. the employment of foreign manpower; g. meeting the electric power supply quality and reliability standards; h. compliance with the licensing requirements; 	<p style="text-align: center;">Article 46</p> <p>(1) <u>The Central Government or Regional Government, according to the norms, standards, procedures, and criteria determined by the Central Government,</u> will develop and supervise the supply of electric power in:</p> <ul style="list-style-type: none"> a. the supply and use of energy sources for power plants; b. <u>the use of electric power grids for telecommunications, multimedia and informatics;</u> c. compliance with the requirements for ensuring an adequate supply of electric power; d. compliance with all technical terms; e. compliance with environmental protection requirements; f. prioritizing the use of locally made goods and services; g. the use of foreign manpower; h. meeting the electric power quality and reliability standards;

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<p>i. the application of electric power tariffs; and</p> <p>j. the quality of the services provided by electric power-support businesses.</p> <p>(2) In performing the supervision referred to in paragraph (1), the Government and regional governments can:</p> <p>a. conduct field inspections;</p> <p>b. ask for reports on the realization of businesses in the electric power field;</p> <p>c. conduct research and evaluate reports on the realization of businesses in the electric power field; and</p> <p>d. impose administrative sanctions on any violator of the licensing provisions.</p> <p>(3) In conducting the technical supervision referred to in paragraph (1), the Government and regional governments must be assisted by electric power inspectors and/ or civil servant investigators.</p> <p>(4) The development and supervision will be regulated further under a Government Regulation.</p>	<p>i. compliance with the licensing requirements;</p> <p>j. the application of electric power tariffs; and</p> <p>k. the quality of the services provided by electric power-support businesses.</p> <p>(2) In conducting the supervision referred to in paragraph (1), <u>the Central Government and Regional Governments according to their respective authorities, according to the norms, standards, procedures, and criteria determined by the Central Government</u> can:</p> <p>a. conduct field inspections;</p> <p>b. ask for reports on the realization of businesses in the electric power field;</p> <p>c. conduct research and evaluate reports on the realization of businesses in the electric power field; and</p> <p>d. impose administrative sanctions on any violator of the <u>Business Licensing</u> provisions.</p> <p>(3) In conducting the technical supervision referred to in paragraph (1), <u>the Central Government and/or Regional Governments</u> must be assisted by electricity inspectors and/ or Civil Servant Investigators.</p> <p>(4) <u>The Central Government may delegate the development and supervision referred to in paragraph (1) to Regional Governments.</u></p> <p>(5) The above development and supervision will be regulated further under a Government Regulation.</p>
Article 48	Article 48
<p>(1) Anyone found violating Article 16 paragraph (3), Article 17 paragraph (3), Article 27 paragraph (2), Article 28, Article 33 paragraph (3), Article 35,</p>	<p>(1) Anyone found violating Article 17 paragraph (3), <u>Article 19 paragraph (3), Article 22, Article 23 paragraph (1), Article 27 paragraph (2), Article 28,</u></p>

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<p>Article 37, Article 42, or Article 45 paragraph (3) will be liable to administrative sanctions in the form of:</p> <ol style="list-style-type: none"> a. written warnings; b. having their activities frozen temporarily; and/or c. having their business licenses revoked. <p>(2) The administrative sanctions referred to in paragraph (1) will be determined by the Minister, governors, or regents/mayors according to their respective authorities.</p> <p>(3) The procedure for imposing the administrative sanctions referred to in paragraph (1) will be provided in a Government Regulation.</p>	<p><u>Article 30 paragraph (1), Article 33 paragraph (2), Article 35, Article 37, Article 42, Article 44 paragraph (4) or paragraph (5), or Article 45 paragraph (3) will be liable to administrative sanctions in the form of:</u></p> <ol style="list-style-type: none"> a. written warnings; b. having their activities frozen temporarily; c. <u>fin</u>es; and/or d. having their <u>Business License</u> revoked. <p>(2) <u>Anyone who erects a building or lets a building be erected and/or replants plants:</u></p> <ol style="list-style-type: none"> a. <u>for which land compensation has been given as referred to in Article 30 paragraph (2) and/or the compensation referred to in Article 30 paragraph (3) has been paid;</u> b. <u>which has the potential to enter the free space or minimum clearance under an electric power grid; or</u> c. <u>which has the potential to endanger safety and/or interfere with the reliability of the supply of electric power,</u> <p><u>will be liable to administrative sanctions.</u></p> <p>(3) <u>The criteria, types, amounts of fines, and procedures for imposing the administrative sanctions referred to in paragraph (1) will be regulated further under a Government Regulation.</u></p>
Article 49	Article 49
<p>(1) Anyone engaged in supplying electric power for the public interest without a license referred to in Article 9 paragraph (2) will be sentenced to up to 3 (three) years in prison and fined up to Rp2,000,000,000 (two billion Rupiah).</p>	<p>(1) Anyone engaged in supplying electric power for the public interest without the <u>Business License</u> referred to in Article 9 paragraph (2) <u>which results in casualties/damage to health, safety, and/or the environment</u> will be sentenced to up to 3 (three) years in prison and fined up to <u>Rp3,000,000,000 (three billion Rupiah).</u></p>

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<p>(2) Anyone engaged in supplying electric power without an operating license referred to in Article 22 will be sentenced to up to 5 (five) years in prison and fined up to Rp4,000,000,000 (four billion Rupiah).</p> <p>(3) Anyone selling surplus electric power for use in the interests of the public without the approval from the Government or regional government referred to in Article 23 paragraph (3) will be sentenced to up to 2 (two) years in jail and fined up to Rp2,000,000,000 (two billion Rupiah).</p>	<p>(2) Anyone engaged in supplying electric power for their own interests without <u>the Business License</u> referred to in Article 22 <u>which results in casualties/damage to health, safety, and/or the environment</u> will be fined up to Rp4,000,000,000 (four billion Rupiah).</p> <p>(3) Anyone selling surplus electric power for the public interest without the approval from <u>the Central Government or the Regional Government</u> referred to in Article 23 paragraph (3) <u>which results in casualties/damage to health, safety, and/or the environment</u> will be sentenced to up to 2 (two) years in jail and fined up to Rp2,000,000,000 (two billion Rupiah).</p>
Article 50	Article 50
<p>(1) Anyone failing to meet the electricity safety standards referred to in Article 44 paragraph (1) which leads to the death of a person from an electric shock will be sentenced to up to 10 (ten) years in prison and fined up to Rp500,000,000 (five hundred million Rupiah).</p> <p>(2) If the fault referred to in paragraph (1) is committed by the holder of a license supply electric power or an operating licenses, the holder will be sentenced to up to 10 (ten) years in jail and fined up to Rp1,000,000,000 (one billion Rupiah).</p>	<p>(1) Anyone failing to meet the electricity safety standards referred to in Article 44 paragraph (1) which leads to the death of a person because of an electric shock will be sentenced to up to 10 (ten) years in prison and fined up to <u>Rp1,000,000,000 (one billion Rupiah)</u>.</p> <p>(2) If the fault referred to in paragraph (1) is committed by the holder of a <u>Business License to supply electric power</u>, the holder will be sentenced to up to 10 (ten) years in prison and fined up to <u>Rp1,500,000,000 (one billion five hundred million Rupiah)</u>.</p> <p>(3) <u>In addition to the sanctions referred to in paragraph (2), the holder of the Business License to supply electric power must pay compensation to the victim.</u></p> <p>(4) <u>The determination and procedure for the payment of the compensation referred to in paragraph (3) must comply with the prevailing laws and regulations.</u></p>

The Electric Power Law	Article 42 of the Job Creation Law
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<p style="text-align: center;">Article 52</p> <p>(1) Anyone engaged in supplying electric power who does not comply with its obligations to those entitled to the land, buildings and plants referred to in Article 30 paragraph (1) will be sentenced up to 5 (five) years in jail and fined up to R3,000,000,000 (three billion Rupiah).</p> <p>(2) In addition to the criminal sanctions referred to in paragraph (1) he/she may be liable to the additional sanction of having his/her license to supply electric power or operating license revoked.</p>	<p><u>Deleted.</u></p>
<p style="text-align: center;">Article 54</p> <p>(1) Anyone operating electric power installations without the operational worthiness certificate referred to in Article 44 paragraph (4) will be sentenced to 5 (five) years in jail and fined up to Rp500,000,000 (five hundred million Rupiah).</p> <p>(2) Anyone producing, distributing or trading in electric power equipment and users which do not meet the Indonesian</p>	<p style="text-align: center;">Article 54</p> <p>(1) Anyone operating electric power installations without the operational worthiness certificate referred to in Article 44 paragraph (4) <u>which results in casualties</u> will be sentenced to 5 (five) years in prison and fined up to Rp500,000,000 (five hundred million Rupiah).</p> <p>(2) If a community household electric power installation is operated without an</p>

The Electric Power Law	Article 42 of the Job Creation Law
national standards referred to in Article 44 paragraph (5) will be sentenced to up to 5 (five) years in jail and fined up to Rp5,000,000,000 (five billion Rupiah).	operational worthiness certificate, <u>the impact of the absence of an operational worthiness certificate will be the responsibility of the electric power supply provider.</u>

D. Law No. 22 of 2001 on Oil and Natural Gas (the “Oil and Law”)

Oil and Gas Law	Article 40 of The Job Creation Law
<p style="text-align: center;">Article 1</p> <ol style="list-style-type: none"> 1. The Central Government, hereinafter referred to as the Government, means the instrumentality of the Unitary State of the Republic of Indonesia, including the President and the Ministers; 2. The Regional Government means the Regional Head along with any other instrumentalities of the Autonomous Region as the Regional Executive Agency; 3. An Upstream Regulatory Agency means an agency formed to supervise Oil and Natural Gas Upstream Business Activities. 	<p style="text-align: center;">Article 1</p> <ol style="list-style-type: none"> 1. The Central Government means <u>the President of the Republic of Indonesia who holds government power in the Republic of Indonesia, assisted by the Vice President and ministers referred to in the 1945 Constitution of the Republic of Indonesia.</u> 2. The Regional Government means <u>the regional head as an element of the administration of the Regional Government who leads the implementation of government affairs which fall within the authority of the autonomous regions.</u> 3. <u>Deleted.</u>
<p style="text-align: center;">Article 4</p> <ol style="list-style-type: none"> (1) Oil and Natural Gas as strategic non-renewable natural resources within the Indonesian Mining Jurisdiction constitute national assets that are controlled by the state. (2) The control by the state referred to in paragraph (1) must be conducted by the Government as the holder of Mining Authority. (3) The Government as the holder of Mining Authority must form the Upstream Regulatory Agency referred to in Article 1 point 23. 	<p style="text-align: center;">Article 4</p> <ol style="list-style-type: none"> (1) Oil and Natural Gas as strategic non-renewable natural resources within the Indonesian Mining Jurisdiction constitute national assets that are controlled by the state. (2) The control by the state referred to in paragraph (1) must be conducted by <u>the Central Government through Oil and Natural Gas business activities.</u> (3) <u>The Oil and Natural Gas business activities referred to in paragraph (2) consist of Upstream Business Activities and Downstream Business Activities.</u>

Oil and Gas Law	Article 40 of The Job Creation Law
<p style="text-align: center;">Article 5</p> <p>Oil and Natural Gas business activities include:</p> <ol style="list-style-type: none"> 1. Upstream Business Activities consisting of: <ol style="list-style-type: none"> a. Exploration; b. Exploitation. 2. Downstream Business Activities consisting of: <ol style="list-style-type: none"> a. Processing; b. Transportation; c. Storage; d. Trading. 	<p style="text-align: center;">Article 5</p> <ol style="list-style-type: none"> (1) <u>Oil and Natural Gas business activities must be engaged in under a Business License issued by the Central Government.</u> (2) <u>Oil and Natural Gas business activities consist of:</u> <ol style="list-style-type: none"> a. Upstream Business Activities; and b. Downstream Business Activities. (3) <u>The Upstream Business Activities referred to in paragraph (2) a. consist of:</u> <ol style="list-style-type: none"> a. Exploration; <u>and</u> b. Exploitation. (4) <u>The Downstream Business Activities referred to in paragraph (2) b. consist of:</u> <ol style="list-style-type: none"> a. Processing; b. Transportation; c. Storage; <u>and</u> d. Trading.
<p style="text-align: center;">Article 23</p> <ol style="list-style-type: none"> (1) The Downstream Business Activities referred to in Article 5 (2) may be engaged in by Business Entities upon obtaining a Business License from the Government. (2) The Business Licenses required for Natural Oil business activities and/or Natural Gas business activities referred to in paragraph (1) include: <ol style="list-style-type: none"> a. a Processing Business License; b. a Transportation Business License; c. a Storage Business License; d. a Trading Business License. (3) Any Entity may be granted more than one (1) Business License as long as it does not conflict with the prevailing laws and regulations. 	<p style="text-align: center;">Article 23</p> <ol style="list-style-type: none"> (1) The Downstream Business Activities referred to in Article 5 (2) letter b may be engaged in by Business Entities upon obtaining <u>Business Licenses</u> from <u>the Central Government.</u> (2) <u>Business Entities which have obtained the Business Licenses referred to in paragraph (1) can engage in the following business activities:</u> <ol style="list-style-type: none"> a. <u>Processing;</u> b. <u>Transportation;</u> c. <u>Storage; and/or</u> d. <u>Trading.</u> (3) <u>The Business Licenses that have been granted referred to in paragraph (1) may only be used for the designated business activities.</u> (4) <u>Applications for the Business License referred to in paragraph (1) must be submitted using the Business Licensing</u>

Oil and Gas Law	Article 40 of The Job Creation Law
	<u>electronic system managed by the Central Government.</u>
<p style="text-align: center;">Article 23A</p> <p>None.</p>	<p style="text-align: center;">Article 23A</p> <p>(1) <u>Any person who engages in Downstream Business Activities without the Business Licenses referred to in Article 23, will be subject to administrative sanctions in the form of the cessation of business and/or activities, fines, and/or enforcement by the Central Government.</u></p> <p>(2) <u>Further provisions on the criteria, types, amount of fines, and procedures for the imposition of administrative sanctions will be issued in a Government Regulation.</u></p>
<p style="text-align: center;">Article 25</p> <p>(1) The Government may issue a written warning, suspend the activities, freeze the activities, or revoke the Business Licenses referred to in Article 23 for:</p> <ol style="list-style-type: none"> a. a violation of any of the requirements stated in the Business License; b. the recurrence of a violation of the requirements under the Business License; c. non-compliance with the provisions of this Law. <p>(2) Before the revocation of the Business License referred to in paragraph (1), the Government must first give the Business Entity a reasonable opportunity to cease the violation committed or to satisfy the stated requirements for a specified period of time.</p>	<p style="text-align: center;">Article 25</p> <p>(1) <u>The Central Government may impose administrative sanctions for:</u></p> <ol style="list-style-type: none"> a. <u>a violation of any of the requirements stated in the Business License; and/or</u> b. <u>non-compliance with the provisions of this Law.</u> <p>(2) <u>Further provisions on the procedures for the imposition of the administrative sanctions referred to in paragraph (1) will be issued in a Government Regulation.</u></p>
<p style="text-align: center;">Article 46</p> <p>(1) The supervision of the implementation of the supply and distribution of Oil Fuel and Transportation of Natural Gas through pipelines will be conducted by</p>	<p style="text-align: center;">Article 46</p> <p>(1) The supervision of the implementation of the supply and distribution of Oil Fuel and Transportation of Natural Gas through pipeline will be conducted by</p>

Oil and Gas Law	Article 40 of The Job Creation Law
<p>the Regulatory Agency referred to in Article 8 (4).</p> <p>(2) The function of the Regulatory Agency referred to in paragraph (1) is making arrangements so that the availability and distribution of Oil Fuel and Natural Gas determined by the Government is guaranteed throughout the territory of the Republic of Indonesia and to increase the domestic utilization of Natural Gas.</p> <p>(3) The duties of the Regulatory Agency referred to in paragraph (1) include regulating and determining:</p> <ol style="list-style-type: none"> a. the availability and distribution of Oil Fuel; b. the national Oil Fuel reserves; c. the utilization of Oil Fuel Transportation and Storage facilities; d. the tariffs for the transportation of Natural Gas through pipelines; e. the price of Natural Gas for households and small-scale customers; f. the commercialization of Natural Gas transmission and distribution. <p>(4) The duties of the Regulatory Agency referred to in paragraph (1) include supervisory duties in the areas referred to in paragraph (3).</p>	<p>the Regulatory Agency referred to in Article 8 (4).</p> <p>(2) The function of the Regulatory Agency referred to in paragraph (1) is making arrangements so that the availability and distribution of Oil Fuel and Natural Gas determined by the <u>Central Government</u> is guaranteed throughout the territory of the Republic of Indonesia and to increase the domestic utilization of Natural Gas.</p> <p>(3) The duties of the Regulatory Agency referred to in paragraph (1) include regulating and determining:</p> <ol style="list-style-type: none"> a. the availability and distribution of Oil Fuel; b. the national Oil Fuel reserves; c. the utilization of Oil Fuel Transportation and Storage facilities; d. the tariffs for the transportation of Natural Gas through pipelines; e. the price of Natural Gas for households and small-scale customers; <u>and</u> f. the commercialization of Natural Gas transmission and distribution. <p>(4) The duties of the Regulatory Agency referred to in paragraph (1) include supervisory duties in the areas referred to in paragraph (3).</p>
<p style="text-align: center;">Article 52</p> <p>Any person who engages in Exploration and/or Exploitation without a Cooperation Contract will be subject to imprisonment for up to six (6) years and a fine of up to IDR60,000,000,000 (sixty billion Rupiah).</p>	<p style="text-align: center;">Article 52</p> <p>Any person who engages in Exploration and/or Exploitation without a <u>Business License</u> or Cooperation Contract will be subject to imprisonment for up to six (6) years and a fine up to IDR60,000,000,000 (sixty billion Rupiah).</p>
<p style="text-align: center;">Article 53</p> <p>Any person who engages in:</p> <ol style="list-style-type: none"> a. the processing referred to in Article 23 without a Processing Business License 	<p style="text-align: center;">Article 53</p> <p><u>If the actions referred to in Article 23A result in casualties/harm to health, safety, or the environment, the person will be subject to imprisonment for up to 5 (five) years or a fine</u></p>

Oil and Gas Law	Article 40 of The Job Creation Law
<p>will be subject to imprisonment for up to five (5) years and a fine of up to IDR50,000,000,000 (fifty billion Rupiah);</p> <p>b. the transportation referred to in Article 23 without a Transportation Business License will be subject to imprisonment for up to four (4) years and a fine of up to IDR 40,000,000,000 (forty billion Rupiah);</p> <p>c. the storage referred to in Article 23 without a Storage Business License will be subject to imprisonment for up to three (3) years and a fine of up to IDR30,000,000,000 (thirty billion Rupiah);</p> <p>d. the trading referred to in Article 23 without a Trading Business License will be subject to imprisonment for up to three (3) years and a fine of up to IDR30,000,000,000 (thirty billion Rupiah);</p>	<p><u>of up to IDR50,000,000,000 (fifty billion Rupiah).</u></p>
Article 55	Article 55
<p>Any person who abuses the Transportation and/or Trading of Oil Fuel subsidized by the Government will be subject to imprisonment for up to six (6) years and a fine of up to IDR60,000,000,000 (sixty billion Rupiah).</p>	<p>Any person who abuses the Transportation and/or Trading of Oil Fuel, <u>gas fuel and/or liquefied petroleum gas</u> subsidized by the Government will be subject to imprisonment for up to six (6) years and a fine of up to IDR60,000,000,000 (sixty billion Rupiah).</p>

E. Law No. 3 of 2014 on Industries (the “Industrial Law”)

The Industrial law	Article 44 of The Job Creation Law
<p style="text-align: center;">Article 15</p> <p>The development of Industrial resources comprises:</p> <ol style="list-style-type: none"> a. the development human resources; b. the utilization of natural resources; c. the development and utilization of Industrial Technology; d. the development and utilization of creativity and innovation; and e. the provision of sources of financing. 	<p style="text-align: center;">Article 15</p> <p>The development of Industrial resources comprises:</p> <ol style="list-style-type: none"> a. the development human resources; b. the utilization of natural resources; c. the development and utilization of Industrial Technology; d. the development and utilization of creativity and innovation; e. the provision of sources of financing; <u>and</u> f. <u>the provision of raw materials and/or support materials for industry.</u>
<p style="text-align: center;">---</p>	<p style="text-align: center;">Article 48A</p> <ol style="list-style-type: none"> (1) <u>To maintain the continuity of the production process and/or industrial development, the Central Government and Regional Governments according to their respective authorities provide facilities for obtaining raw materials and/or support materials according to the industrial needs plan.</u> (2) <u>The facilities referred to in paragraph (1) include facilities for importing raw materials and/or support materials for industry according to the industrial needs plan.</u> (3) <u>Further provisions on the ease of obtaining raw materials and/or support materials will be issued in a Government Regulation.</u>
<p style="text-align: center;">Article 50</p> <ol style="list-style-type: none"> (1) The Minister will conduct the planning, assistance, development and supervision of Industrial Standardization. (2) Industrial Standardization is to be undertaken in the form of SNI, technical specifications and/or codes of practice. 	<p style="text-align: center;">Article 50</p> <ol style="list-style-type: none"> (1) The <u>Central Government</u> will conduct the planning, assistance, development and supervision of Industrial Standardization. (2) Industrial Standardization is to be undertaken in the form of SNI, technical specifications and/or codes of practice.

The Industrial law	Article 44 of The Job Creation Law
(3) The SNI, technical specifications and/or codes of practice apply in all territories of the Unitary State of the Republic of Indonesia.	(3) The SNI, technical specifications and/or codes of practice apply in all territories of the Unitary State of the Republic of Indonesia.
<p style="text-align: center;">Article 53</p> <p>(1) Every Person is prohibited from:</p> <ol style="list-style-type: none"> a. placing an SNI mark or conformity mark on any Industrial goods and/or Industrial Services which do not comply with the provisions on the SNI, technical specifications and/or codes of practice; or b. producing, importing and/or circulating any Industrial goods and/or Industrial Services which do not comply with the SNI, technical specifications and/or codes of practice which apply mandatorily. <p>(2) The Minister may issue exceptions to the SNI, technical specifications and/or codes of practice which apply mandatorily referred to in paragraph (1) b. for imports of certain goods.</p>	<p style="text-align: center;">Article 53</p> <p>(1) Every Person is prohibited from:</p> <ol style="list-style-type: none"> a. placing an SNI mark or conformity mark on any Industrial goods and/or Industrial Services which do not comply with the provisions on the SNI, technical specifications and/or codes of practice; or b. producing, importing and/or circulating any Industrial goods and/or Industrial Service which do not comply with the SNI, technical specifications and/or codes of practice which apply mandatorily. <p>(2) The <u>Central Government</u> may issue exceptions to the SNI, technical specifications and/or codes of practice which apply mandatorily referred to in paragraph (1) b. for imports of certain goods.</p>
<p style="text-align: center;">Article 57</p> <p>(1) The voluntary implementation of the SNI referred to in Article 51 and the mandatory application of the SNI, technical specifications and/or codes of practice referred to in Article 52 will be conducted through conformity assessments.</p> <p>(2) The conformity assessments of voluntarily implemented SNI referred to in paragraph (1) will be conducted by accredited conformity assessment agencies.</p> <p>(3) Conformity assessments of the SNI, technical specifications and/or codes of practice which apply mandatorily referred to in paragraph (1) will be</p>	<p style="text-align: center;">Article 57</p> <p>(1) The voluntary implementation of the SNI referred to in Article 51 and the mandatory application of the SNI, technical specifications and/or codes of practice referred to in Article 52 will be conducted by way of conformity assessments.</p> <p>(2) The conformity assessments of voluntarily implemented SNI referred to in paragraph (1) will be conducted by accredited conformity assessment agencies.</p> <p>(3) The conformity assessments of the SNI, technical specifications and/or codes of practice which apply mandatorily referred to in paragraph</p>

The Industrial law	Article 44 of The Job Creation Law
<p>conducted by accredited conformity assessment agencies designated by the Minister.</p> <p>(4) The assistance and supervision of conformity by assessment agencies referred to in paragraph (3) will be conducted by the Minister.</p>	<p>(1) will be conducted by accredited conformity assessment agencies designated by the <u>Central Government</u>.</p> <p>(4) <u>Further provisions on the assistance and supervision of the conformity of assessment agencies will be issued in a Government Regulation.</u></p>
Article 59	Article 59
<p>The Minister will supervise the implementation of the entire sequence of the implementation of the application of the SNI referred to in Article 51 paragraph (2) and paragraph (3) as well as the mandatory application of the SNI, technical specifications and/or codes of practice referred to in Article 52.</p>	<p>(1) The <u>Central Government</u> will supervise the implementation of the entire sequence of the implementation of the application of the SNI referred to in Article 51 paragraph (2) and paragraph (3) as well as the mandatory application of the SNI, technical specifications and/or codes of practice referred to in Article 52.</p> <p>(2) <u>In implementing the supervisory authority referred to in paragraph (1), the Central Government may appoint accredited agencies.</u></p>
Article 84	Article 84
<p>(1) Strategic Industries are controlled by the state.</p> <p>(2) The Strategic Industries referred to in paragraph (1) consist of Industries which:</p> <ol style="list-style-type: none"> a. meet the needs which are important for public welfare or which control their life needs; b. increase or give added value to strategic natural resources; and/or c. correlate with the interests of state defense and security. <p>(3) Control over the Strategic Industries by the state referred to in paragraph (1) is conducted through:</p> <ol style="list-style-type: none"> a. ownership arrangements; b. the determination of policy; c. licensing arrangements; 	<p>(1) Strategic Industries are controlled by the state.</p> <p>(2) The Strategic Industries referred to in paragraph (1) consist of Industries which:</p> <ol style="list-style-type: none"> a. meet the needs which are important for public welfare or which control their life needs; b. increase or give added value to strategic natural resources; and/or c. correlate with the interests of state defense and security. <p>(3) Control over the Strategic Industries by the state referred to in paragraph (1) is conducted through:</p> <ol style="list-style-type: none"> a. ownership arrangements; b. the determination of policy; c. <u>Business License</u> arrangements;

The Industrial law	Article 44 of The Job Creation Law
<ul style="list-style-type: none"> d. production, distribution and price arrangements; and e. supervision. 	<ul style="list-style-type: none"> d. production, distribution and price arrangements; and e. supervision.
<p>(4) Ownership arrangements over the Strategic Industries referred to in paragraph (3) a. are conducted through:</p> <ul style="list-style-type: none"> a. total equity participation by the Government; b. the establishment of joint ventures between the Government and the private sector; or c. ownership restrictions for foreign investors. 	<p>(4) Ownership arrangements over the Strategic Industries referred to in paragraph (3) a. are conducted through:</p> <ul style="list-style-type: none"> a. total equity participation by the Government; b. the establishment of joint ventures between the Government and the private sector; or c. ownership restrictions for foreign investors <u>according to the laws and regulations.</u>
<p>(5) The determination of Strategic Industries policies referred to in paragraph (3) letter b at least covers:</p> <ul style="list-style-type: none"> a. determination on types of Strategic Industries; b. granting of facilities; and c. granting of compensation for losses. 	<p>(5) The determination of the Strategic Industries policies referred to in paragraph (3) b. will cover at least:</p> <ul style="list-style-type: none"> a. the determination of the types of Strategic Industries; b. the granting of facilities; and c. the granting of compensation for losses.
<p>(6) The Strategic Industries business license referred to in paragraph (3) letter c. must be issued by the Minister.</p>	<p>(6) The <u>Business License related to Strategic Industries</u> referred to in paragraph (3) c. will be issued by the <u>Central Government.</u></p>
<p>(7) Production, distribution and price arrangements referred to in paragraph (3) letter d. shall at least determine the amounts of production and distribution and the prices of products.</p>	<p>(7) The production, distribution and price arrangements referred to in paragraph (3) d. will determine at least production and distribution quantities and the prices of products.</p>
<p>(8) The supervision referred to in paragraph (3) letter e. include the determination of Strategic Industries as national vital objects and the supervision on distribution.</p>	<p>(8) The supervision referred to in paragraph (3) e. include the determination of Strategic Industries as national vital objects and the supervision of distribution.</p>
<p>(9) Further provisions on Strategic Industries referred to in paragraph (1) must be issued in a Government Regulation.</p>	<p>(9) Further provisions on the Strategic Industries referred to in paragraph (1) will be issued in a <u>Government Regulation.</u></p>

The Industrial law	Article 44 of The Job Creation Law
<p style="text-align: center;">Article 101</p> <p>(1) All industrial businesses must hold an Industrial Business License.</p> <p>(2) The Industrial Business License referred to in paragraph (1) applies to:</p> <ol style="list-style-type: none"> a. small-scale Industries; b. medium-scale Industries; and c. large-scale Industries. <p>(3) The Industrial Business License referred to in paragraph (1) is issued by the Minister.</p> <p>(4) The Minister may delegate part of the authority to issuing Industrial Business licenses to governors and regents/mayors.</p> <p>(5) The Industrial Business license referred to in paragraph (1) applies to:</p> <ol style="list-style-type: none"> a. Small-Scale Industrial Business Licenses; b. Medium-Scale Industrial Business Licenses; and c. Large-Scale Industrial Business License. <p>(6) Any Industrial Company which already owns the license referred to in paragraph (5) must:</p> <ol style="list-style-type: none"> a. engage in its industrial business activities in accordance with the license it holds; and b. warrant the security and safety of its equipment, production processes, products, storage and handling of materials. 	<p style="text-align: center;">Article 101</p> <p>(1) All industrial businesses must hold <u>a Business License issued by the Central Government</u>.</p> <p>(2) The Industrial Business License referred to in paragraph (1) applies to:</p> <ol style="list-style-type: none"> a. small-scale industries; b. medium-scale industries; and c. large-scale industries. <p>(3) Any Industrial Company which already owns the <u>Business License</u> referred to in paragraph (1) must:</p> <ol style="list-style-type: none"> a. engage in its industrial business activities according to the Business License that it holds; and b. warrant the security and safety of its equipment, production processes, products, storage and handling of materials.
<p style="text-align: center;">Article 102</p> <p>(1) The small-scale industries referred to in Article 101 paragraph (2) a. are determined based on the number of manpower and investment value, excluding the land and buildings used for its business location.</p>	<p><u>Deleted.</u></p>

The Industrial law	Article 44 of The Job Creation Law
<p>(2) The medium-scale industries referred to in Article 101 paragraph (2) b. are determined based on the number of manpower and/or investment value.</p> <p>(3) The large-scale industries referred to in Article 102 paragraph (2) c. are determined based on the number of manpower and/or investment value.</p> <p>(4) The number of manpower and the investment value for small-scale, medium-scale and large-scale Industries is determined by the Minister.</p>	
<p style="text-align: center;">Article 104</p> <p>(1) Any Industrial Company which already holds the Industrial Business license referred to in Article 101 paragraph (2) can conduct an expansion.</p> <p>(2) Any Industrial Company which conducts an expansion utilizing natural resources requiring an Analysis of the Environmental Impact Assessment must hold an expansion license.</p>	<p style="text-align: center;">Article 104</p> <p>Any Industrial Company which holds the <u>Business License</u> referred to in Article 101 paragraph (3) can conduct an expansion according to the laws and regulations.</p>
<p style="text-align: center;">Article 105</p> <p>(1) Any business in an Industrial Estate must hold an Industrial Estate License.</p> <p>(2) The Industrial Estate License referred to in paragraph (1) is issued by the Minister.</p> <p>(3) The Minister may delegate part of the authority to issue Industrial Estate Licenses to governors and regents/mayors.</p> <p>(4) The Industrial Estate Companies referred to in paragraph (1) must meet the Industrial Estate standards determined by the Minister.</p>	<p style="text-align: center;">Article 105</p> <p>(1) Any business in an Industrial Estate must hold a <u>Business License from the Central Government</u>.</p> <p>(2) Industrial Estate Companies must meet the standards for Industrial Estates determined by the <u>Central Government</u>.</p> <p>(3) Any Industrial Estate Company which conducts an expansion must hold a <u>Business License from the Central Government</u>.</p>

The Industrial law	Article 44 of The Job Creation Law
(5) Any Industrial Estate Company which conducts an expansion must hold an Industrial Estate Expansion license.	
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Article 106	Article 106
<p>(1) All Industrial Companies engaged in Industrial activities must be located in an Industrial Estate.</p> <p>(2) The obligation to be located in an Industrial Estate referred to in paragraph (1) does not apply to any Industrial Company which engages in industrial activities located in a regency/city area which:</p> <ol style="list-style-type: none"> a. does not yet have an Industrial Estate; b. has an Industrial Estate, but its Industrial blocks are fully occupied; <p>(3) Exemptions from the obligation to be located in an Industrial Estate referred to in paragraph (1) also apply to:</p> <ol style="list-style-type: none"> a. any small-scale and medium-scale Industries which do not have a potential to cause wide spread environmental pollution; or b. any Industry which utilizes specific raw materials and/or production process of which requires a specific location. <p>(4) Any Industrial Company which has been exempted referred to in paragraph (2) and any medium-scale Industrial Company referred to in paragraph (3) a.</p>	<p>(1) All Industrial Companies engaged in industrial activities must be located in an Industrial Estate.</p> <p>(2) The obligation to be located in an Industrial Estate referred to in paragraph (1) does not apply to any industrial Company which engages in industrial activities located in a regency/city area which:</p> <ol style="list-style-type: none"> a. does not yet have an Industrial Estate; b. has an Industrial Estate, but its Industrial blocks are fully occupied; <u>or</u> c. <u>has a Special Economic Zone which has an industrial zone.</u> <p>(3) Exemptions from the obligation to be located in an Industrial Estate referred to in paragraph (1) also apply to:</p> <ol style="list-style-type: none"> a. any small-scale and medium-scale industries which do not have a potential to cause wide spread environmental pollution; or b. any Industry which utilizes specific raw materials and/or the production process of which requires a specific location. <p>(4) Any Industrial Company which has been exempted referred to in paragraph (2) and any medium-scale Industrial Company referred to in</p>

<p style="text-align: center;">The Industrial law</p> <p>must be located in an allocated industrial zone.</p> <p>(5) The Industries referred to in paragraph (3) will be determined by the Minister.</p>	<p style="text-align: center;">Article 44 of The Job Creation Law</p> <p>paragraph (3) a. must be located in an allocated industrial zone.</p> <p>(5) The Industries referred to in paragraph (3) will be determined by <u>the Central Government</u>.</p>
<p style="text-align: center;">Article 108</p> <p>Further provisions on the issuance of the Industrial Business license referred to in Article 101, the expansion license referred to in Article 104, the Industrial Estate License referred to in Article 105 and the obligation to be located in an Industrial Estate referred to in Article 106 as well as the procedures for the imposition of the administrative sanctions and the amounts of the administrative fines referred to in Article 107 will be issued in a Government Regulation.</p>	<p style="text-align: center;">Article 108</p> <p>Further provisions on the issuance of the <u>Business License</u> referred to in Articles 101, <u>104, 105</u> and the obligation to be located in an Industrial Estate referred to in Article 106 as well as the procedures for the imposition of the administrative sanctions and the amounts of the administrative fines referred to in Article 107 will be issued in a Government Regulation.</p>
<p style="text-align: center;">Article 115</p> <p>(1) The public may participate in the planning, implementation and supervision of Industrial development.</p> <p>(2) The public's participation referred to in paragraph (1) may be in the form of:</p> <p style="margin-left: 20px;">a. suggestions, opinions and proposals; and/or</p> <p style="margin-left: 20px;">b. the submission of information and/or reports.</p> <p>(3) Further provisions on the public's participation in Industrial development referred to in paragraph (1) will be issued in a Ministerial Regulation.</p>	<p style="text-align: center;">Article 115</p> <p>(1) The public may participate in the planning, implementation and supervision of Industrial development.</p> <p>(2) The public's participation referred to in paragraph (1) may be in the form of:</p> <p style="margin-left: 20px;">a. suggestions, opinions and proposals; and/or</p> <p style="margin-left: 20px;">b. the submission of information and/or reports.</p> <p>(3) Further provisions on the public's participation in Industrial development referred to in paragraph (1) will be issued in a <u>Government Regulation</u>.</p>
<p style="text-align: center;">Article 117</p> <p>(1) The Minister conducts supervision and control of industrial business activities and industrial estate activities.</p> <p>(2) The supervision and control referred to in paragraph (1) are conducted to ascertain the fulfillment of and compliance with regulations on industrial affairs by</p>	<p style="text-align: center;">Article 117</p> <p>(1) The <u>Central Government</u> conducts the supervision and control of industrial business activities and industrial estate activities.</p> <p>(2) The supervision and control referred to in paragraph (1) are conducted to ascertain the fulfillment of and compliance with regulations on</p>

The Industrial law	Article 44 of The Job Creation Law
<p>industrial companies and industrial estate companies.</p> <p>(3) The fulfilment of and compliance with regulations on industrial affairs by industrial companies and industrial estate companies referred to in paragraph (2) will cover at least:</p> <ol style="list-style-type: none"> a. industrial human resources; b. the utilization of natural resources; c. energy management; d. water management; e. the SNI, technical specifications and/or codes of practice; f. industrial data and industrial estate data; g. green industry standards; h. industrial estate standards; i. industrial licensing and industrial estate licensing; and j. the security and safety of equipment, production processes, products, storage and the handling of materials. <p>(4) The implementation of the supervision and control referred to in paragraph (1) will be conducted by officials from a work unit under the Minister and/or an accredited institution designated by the Minister.</p> <p>(5) The Government, provincial Regional Governments and regency/municipal Regional Governments will jointly or in accordance with their respective authorities conduct the supervision and control pursuant to the prevailing laws and regulations.</p> <p>(6) Further provisions on the procedures for the supervision and control of industrial business activities and Industrial Estate activities will be issued in a Ministerial Regulation.</p>	<p>industrial affairs by industrial companies and industrial estate companies.</p> <p>(3) The fulfilment of and compliance with regulations on industrial affairs by industrial companies and industrial estate companies referred to in paragraph (2) will cover at least:</p> <ol style="list-style-type: none"> a. Industrial human resources; b. the utilization of natural resources; c. energy management; d. water management; e. the SNI, technical specifications and/or codes of practice; f. industrial data and industrial estate data; g. green industry standards; h. industrial estate standards; i. industrial licensing and industrial estate licensing; and j. the security and safety of equipment, production processes, products, storage and the handling of materials. <p>(4) <u>For</u> the implementation of the supervision and control referred to in paragraph (1), <u>the Central Government can appoint an accredited agency.</u></p> <p>(5) Further provisions on the procedures for the supervision and control of industrial business activities and industrial estate activities will be issued in a <u>Government Regulation.</u></p>

F. Law No. 32 of 2009 on the Environment Protection and Management (the “Environmental Law”)

The Environmental Law	Article 22 of The Job Creation Law
Article 1	Article 1
<p>Under this Law, the following definitions are used:</p> <ol style="list-style-type: none"> 1. The environment is a totality of space with all materials, resources, situations and creatures, including human and their behaviors that influence nature, the continuation of livelihoods and human welfare as well as other creatures. 	<p>Under this Law, the following definitions are used:</p> <ol style="list-style-type: none"> 1. The environment is a totality of space with all materials, resources, situations and creatures, including human and their behavior that influence nature, the continuation of livelihoods and human welfare as well as other creatures.
<ol style="list-style-type: none"> 2. Environmental Protection and Management is systematic and integrated efforts to preserve the functions of the environment and prevent environmental pollution and/or damage, which cover planning, utilization, control, preservation, supervision and law enforcement. 	<ol style="list-style-type: none"> 2. Environmental Protection and Management is systematic and integrated efforts to preserve the functions of the environment and prevent environmental pollution and/or damage, which cover planning, utilization, control, preservation, supervision and law enforcement.
<ol style="list-style-type: none"> 3. Sustainable Development is conscious and integrated efforts integrating environmental, social and economic aspects into a development strategy to assure the totality of the environment as well as safety, capability, welfare and living standards of present and future generations. 	<ol style="list-style-type: none"> 3. Sustainable Development is conscious and integrated efforts integrating environmental, social and economic aspects into a development strategy to assure the totality of environment as well as safety, capability, welfare and living standards of present and future generations.
<ol style="list-style-type: none"> 4. The Environmental Protection and Management Plan (Rencana Perlindungan dan Pengelolaan Lingkungan Hidup) from this point onward referred to as the RPPLH, is a written plan containing environmental potentials, issues, as well as protection and management during a specified period. 	<ol style="list-style-type: none"> 4. The Environmental Protection and Management Plan (Rencana Perlindungan dan Pengelolaan Lingkungan Hidup) from this point onward referred to as the RPPLH, is a written plan containing environmental potentials, issues, as well as protection and management during a specified period.
<ol style="list-style-type: none"> 5. The ecosystem is an order of environmental components constituting a comprehensive and mutually influencing totality in forming environmental equilibrium, stability and productivity. 	<ol style="list-style-type: none"> 5. The ecosystem is an order of environmental components constituting a comprehensive and mutually influencing totality in forming environmental equilibrium, stability and productivity.

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6. The Conservation of Environmental Functions is a series of efforts to preserve the continuation of the support and capacity of the environment.	6. The Conservation of Environmental Functions is a series of efforts to preserve the continuation of the support and capacity of the environment.
7. The Support Capacity of the Environment is the ability of the environment to support the livelihoods of humans, other creatures and an equilibrium between them.	7. The Support Capacity of the Environment is the ability of the environment to support the livelihoods of humans, other creatures and an equilibrium between them.
8. The Capacity of the Environment is the ability of the environment to absorb substances, energies and/or other components coming from or inserted therein.	8. The Capacity of the Environment is the ability of the environment to absorb substances, energies and/or other components coming from or inserted therein.
9. Natural Resources are environmental elements consisting of biological and non-biological resources wholly forming the totality of the ecosystem.	9. Natural Resources are environmental elements consisting of biological and non-biological resources wholly forming the totality of the ecosystem.
10. A Strategic Environmental Assessment (<i>Kajian Lingkungan Hidup Strategis</i>) from this point onward referred to as a KLHS is a series of systematic, comprehensive and participatory analyses to ascertain that the principles of sustainable development have become a basis and been integrated into the development of a region and/ or policy, plan and/or program.	10. A Strategic Environmental Assessment (<i>Kajian Lingkungan Hidup Strategis</i>) from this point onward referred to as a KLHS is a series of systematic, comprehensive and participatory analyses to ascertain that the principles of sustainable development have become a basis and been integrated into the development of a region and/ or policy, plan and/or program.
11. An Environmental Impact Analysis (<i>Analisis Mengenai Dampak Lingkungan Hidup</i>) from this point onward referred to as an Amdal is a study of the significant impacts of a planned business and/or activity on the environment, which is needed for making decisions on the operation of a business and/or activity.	11. An Environmental Impact Analysis (<i>Analisis Mengenai Dampak Lingkungan Hidup</i>) from this point onward referred to as an Amdal is a study of the significant impacts of a planned business and/or activity on the environment, which is needed for making decisions about the operation of a business and/or activity <u>contained in the Business License, or approval from the Central Government or the Regional Government.</u>
12. Environmental Management and Monitoring Programs (Upaya	12. Environmental Management and Monitoring Programs (Upaya

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<p>Pengelolaan Lingkungan Hidup dan Upaya Pemantauan Lingkungan Hidup) from this point onward referred to as UKL-UPL, are the management and monitoring of businesses and/ or activities which do not have significant impacts on the environment, which are needed for making decisions about the operations of businesses and/or activities.</p>	<p>Pengelolaan Lingkungan Hidup dan Upaya Pemantauan Lingkungan Hidup) from this point onward referred to as UKL-UPL, are a series of environmental management and monitoring processes set forth in a standard form to be used as <u>a prerequisite for decision making and contained in the Business License, or approval from the Central Government or Regional Government.</u></p>
<p>13. The Environmental Quality Standard is the indicator of the limit or content of creatures, substances, energies or components which exist or must exist and/or pollutants which existence therein tolerable in a specified resource as environmental substances.</p>	<p>13. The Environmental Quality Standard is the indicator of the limit or content of creatures, substances, energies or components which exist or must exist and/or pollutants which exist therein tolerable in a specified resource as environmental substances.</p>
<p>14. Environmental Pollution is the incoming or inclusion of living creatures, substances, energies and/ or other components into the environment by human activities so as to exceed the determined Environmental Quality Standard.</p>	<p>14. Environmental Pollution is the incoming or inclusion of living creatures, substances, energies and/ or other components into the environment by human activities so as to exceed the stipulated Environmental Quality Standard.</p>
<p>15. The Standard Criteria for Environmental Damage are the limits to changes in the physical, chemical and / or biological characteristics of the environment which are tolerable by the environment so as to be able to preserve its functions.</p>	<p>15. The Standard Criteria for Environmental Damage are the limits to changes in the physical, chemical and / or biological characteristics of the environment which are tolerable by the environment so as to be able to preserve its functions.</p>
<p>16. Environmental Damage is human actions which change directly or indirectly physical, chemical and/or biological characteristics of the environment so as to exceed the standard criteria for environmental damage.</p>	<p>16. Environmental Damage is human actions which change directly or indirectly physical, chemical and/or biological characteristics of the environment so as to exceed the standard criteria for environmental damage.</p>
<p>17. Environmental Damage is a direct and/or indirect change in the physical, chemical and/or biological characteristics of the environment which exceeds the standard criteria for environmental damage.</p>	<p>17. Environmental Damage is a direct and/or indirect change in the physical, chemical and/or biological characteristics of the environment which exceeds the standard criteria for environmental damage.</p>

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18. Natural Resource Conservation is the management of natural resources to assure wise utilization and the continuation of their availability by preserving and enhancing the quality of the value as well as biodiversity thereof.	18. Natural resource conservation is the management of natural resources to assure wise utilization and the continuation of their availability by preserving and enhancing the quality of the value as well as biodiversity thereof.
19. Climate Change is the climate change attributed directly or indirectly to human activities that change the composition of the atmosphere globally, besides the change in the variability of the natural climate observed in a comparable period.	19. Climate Change is the climate change attributed directly or indirectly to human activities that change the composition of the atmosphere globally, besides the change in the variability of the natural climate observed in a comparable period.
20. Waste is the remainders of a business and/or activity.	20. Waste is the remainders of a business and/or activity.
21. Hazardous and Toxic Materials (<i>Bahan Berbahaya dan Beracun</i>) from this point onward referred to as B3 are substances, energies and/or other components which may pollute and/or destroy directly or indirectly the environment and/or endanger the environment; the health as well as continuation of life of humans and other creatures because of their characteristics, concentration and/or quantity.	21. Hazardous and toxic materials (<i>bahan berbahaya dan beracun</i>) hereinafter referred to as B3 are substances, energies and/or other components which may pollute and/or destroy directly or indirectly the environment and/or endanger the environment; the health as well as continuation of life of humans and other creatures because of their characteristics, concentration and/or quantity.
22. Hazardous and Toxic Materials Waste, from this point onward referred to as B3 waste is remainders of a business and/or activity containing B3.	22. Hazardous and Toxic Materials Waste from this point onward referred to as B3 waste is remainders of a business and/or activity containing B3.
23. B3 Waste Management is an activity which covers reduction, storage, collection, transportation, utilization, treatment and/or filling.	23. B3 Waste Management is an activity which covers reduction, storage, collection, transportation, utilization, treatment and/or filling.
24. Dumping is an activity to dump, place and/or insert waste and/or materials in a specified quantity, concentration, time and location according to certain requirements into a specified environmental medium.	24. Dumping is an activity to dump, place and/or insert waste and/or materials in a specified quantity, concentration, time and location according to certain requirements into a specified environmental medium.

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25. An Environmental Dispute is a dispute between two parties, which arises from an activity with the potential to affect and/or already affecting the environment.	25. An Environmental Dispute is a dispute between two parties, which arises from an activity with the potential to affect and/or already affecting the environment.
26. An Environmental Impact is an influence on the environment which is attributable to a business and/or activity.	26. An Environmental Impact is an influence on the environment which is attributable to a business and/or activity.
27. An Environmental Organization is a group of organized people established on the basis of their own will, having goals and activities related to the environment.	27. An Environmental Organization is a group of organized people established on the basis of their own will, having goals and activities related to the environment.
28. An Environmental Audit is an evaluation made to judge the compliance of personnel in charge of a business and/or activity with the legal requirements and policies issued by the government.	28. An Environmental Audit is an evaluation made to judge the compliance of personnel in charge of a business and/or activity with the legal requirements and policies issued by the government.
29. An Ecoregion is geographic areas sharing the same characteristics of climate, land, water, original flora and fauna as well as patterns of human interaction with nature, which describes the integrity of natural and environmental systems.	29. An Ecoregion is geographic areas sharing the same characteristics of climate, land, water, original flora and fauna as well as patterns of human interaction with nature, which describes the integrity of natural and environmental systems.
30. Local Wisdom is the noble value effective in human life, which is intended to protect and manage the environment eternally.	30. Local Wisdom is the noble value effective in human life, which is intended to protect and manage the environment eternally.
31. A Traditional Community is a group of people living traditionally in a specific geographic area because they are bound by the origins of their ancestors, strong relations with the environment as well as a system of values determining economic, political, social and legal structures.	31. A Traditional Community is a group of people living traditionally in a specific geographic area because they are bound by the origins of their ancestors, strong relations with the environment as well as a system of values determining economic, political, social and legal structures.
32. Every person is an individual or business entity whether in the form of a legal entity or not.	32. Every person is an individual or business entity whether in the form of a legal entity or not.

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33. An Environmental economic instrument is a set of economic policies to motivate the Government, regional government or every person to conserve the functions of the environment.	33. An Environmental economic instrument is a set of economic policies to motivate the Government regional government or every person to conserve the functions of the environment.
34. A Serious Threat is a threat which has an extensive impact on the environment and causes public unrest.	34. A Serious Threat is a threat which has an extensive impact on the environment and causes public unrest.
35. An Environmental License is a license issued to every person undertaking a business and/or activities obliged to undergo an Amdal or UKL-UPL in the framework of environmental protection and management as a pre-requisite for obtaining a business and/or activity license.	35. <u>Environmental Approval is a Decree of Environmental Feasibility or Statement of Ability in Environmental Management that has received approval from the Central Government or Regional Government.</u>
36. a Business and/or Activity License is a license issued by a technical institution to undertake a business and/or activity.	36. <u>The Central Government is the President of the Republic of Indonesia who holds governmental power in the Republic of Indonesia, assisted by the Vice President and ministers referred to in the 1945 Constitution of the Republic of Indonesia.</u>
37. The Central Government, from this point onward referred to as the Government is the President of the Republic of Indonesia holding executive power in the Republic of Indonesia referred to in the 1945 Constitution of the Republic of Indonesia.	37. <u>The Regional Government is the head of the region as an element of the Regional Government who leads the implementation of government affairs which fall under the authority of the autonomous region.</u>
38. Regional governments are governors, regents or mayors and regional officials as regional administrators.	38. <u>The Minister is the minister in charge of government affairs in the field of environmental protection and management.</u>
39. The Ministry is the Ministry in charge of environmental protection and management affairs.	<u>Deleted.</u>
Article 20	Article 20
(1) Environmental pollution is measured according to the environmental quality standards.	(1) Environmental pollution is measured according to the environmental quality standards.

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<p>(2) The environmental quality standards include:</p> <ul style="list-style-type: none"> a. the water quality standard for; b. the waste water quality standard; c. the quality sea water standard; d. the ambient air quality standard; e. the emission quality standard; f. the disturbance quality standard; and g. other quality standards in accordance with developments in science and technology. 	<p>(2) The environmental quality standards include:</p> <ul style="list-style-type: none"> a. the water quality standard; b. the waste water quality standard sea water; c. the quality standard of; d. the ambient air quality standard; e. the emission quality standard; f. the disturbance quality standard; and g. other quality standards in accordance with developments in science and technology.
<p>(3) Every person is permitted to dispose of waste into environmental media if they comply with the following requirements:</p> <ul style="list-style-type: none"> a. it complies with the environment quality standards; and b. a permit has been obtained from the Ministry, governor or regent/mayor according to their respective authorities. 	<p>(3) Every person is permitted to dispose of waste into environmental media if they comply with the following requirements:</p> <ul style="list-style-type: none"> a. it complies with the environmental quality standards ; and b. a permit has been obtained from the <u>Central Government</u> or <u>Regional Government</u>.
<p>(4) Further provisions on the environmental quality standards referred to in paragraph (2) a., c., d., and g. be issued in a regulation of the Government.</p>	<p>(4) Further provision on the environmental quality standards referred to in paragraph (2) <u>will be issued in a Government Regulation.</u></p>
<p>(5) Further provisions on the environmental quality standards referred to in paragraph (2) b., e. and f. will be issued in a Regulation of the Minister.</p>	<p><u>Deleted.</u></p>

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Article 24	Article 24
The Amdal documents as referred to in Article 22 are the basis for determining environmental feasibility.	(1) <u>The Amdal document is the basis for environmental feasibility testing for business and / or activity plans.</u>
	(2) <u>The environmental feasibility test referred to in paragraph (1) will be conducted by an environmental feasibility test team established by the Central Government environmental feasibility testing agency.</u>
	(3) <u>The environmental feasibility test team referred to in paragraph (2) consists of elements from the Central Government, Regional Government and certified experts.</u>
	(4) <u>The Central Government or Local Government determines the Environmental Feasibility Decree based on the results of the environmental feasibility test.</u>
	(5) <u>The Environmental Feasibility Decree referred to in paragraph (4) is used as a requirement for the issuance of Business Licenses, or for approval by the Central Government or Regional Government.</u>
	(6) <u>Further provisions on the environmental feasibility test procedures will be issued in a Government Regulation.</u>
Article 25	Article 25
Amdal documents must contain: a. a study of the impact of the planned business and/or activity;	Amdal documents must contain: a. a study of impact of the planned business and/or activity;
b. an evaluation of activities around the location of the planned business and/or activity;	b. an evaluation of activities around the location of the planned business and/or activity;
c. the recommendations, inputs as well as responses of the public to the planned	c. recommendations, inputs as well as responses of the public that are directly

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business and/or activity;	<u>affected as relevant</u> by the planned business and/or activity;
d. an estimation of the coverage and important characteristics of the impact which will occur if the business and/or activity plan is executed;	d. an estimation of the coverage and important characteristics of the impact which will occur if the business and/or activity plan is executed;
e. a holistic evaluation of the impact that will occur to determine the environmental feasibility or unfeasibility; and	e. a holistic evaluation of the impact which will occur to determine the environmental feasibility or unfeasibility; and
f. the environmental management and monitoring plan.	f. the environmental management and monitoring plan.
Article 26	Article 26
(1) The Amdal document referred to in Article 22 must be formulated by the initiators by involving the public.	(1) The Amdal document referred to in Article 22 must be formulated by the initiators by involving the public.
(2) The involvement of the public must be based on principle of the provision of information transparently and completely and must be conveyed before the commencement of the activity.	(2) <u>The Amdal document preparation is to be conducted by involving people who are directly affected by the planned business and / or activity.</u>
(3) The public referred to in paragraph (1) includes: a. the affected public; b. environmental activists; and/or c. parties affected by all types of decisions in the Amdal process.	(3) <u>Further provisions on the community involvement process referred to in paragraph (2) will be issued in a Government Regulation.</u>
(4) The public referred to in paragraph (1) may object to the Amdal document.	<u>Deleted.</u>
Article 27	Article 27
In formulating the Amdal document, the initiators referred to in Article 26 paragraph (1) may seek assistance from other parties.	In formulating the Amdal document, the initiators referred to in Article 26 paragraph (1) may seek assistance from other parties.
Article 28	Article 28
(1) The Amdal organizer referred to in Article 26 paragraph (1) and Article 27 must have an Amdal organizer certificate of competence.	(1) Amdal organizer as referred to in Article 26 paragraph (1) and Article 27 shall have certificate of competence of Amdal organizer.

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<p>(2) The criteria for obtaining the Amdal organizer certificate of competence of referred to in paragraph(1) include:</p> <ol style="list-style-type: none"> a. mastery of the Amdal formulation methodology; b. the ability to scope, predict and evaluate impacts as well as make decisions; and c. the ability to formulate environmental management and monitoring plans. 	<p>(2) <u>Further provisions on the certification and competence criteria for Amdal compilers will be issued in a Government Regulation.</u></p>
<p>(3) The Amdal organizer certificate of competence of referred to in paragraph (1) must be issued by an Amdal organizer certification institute designated by the Ministry in accordance with the provision of the prevailing laws and regulations.</p>	<p><u>Deleted.</u></p>
<p>(4) Further provision on Amdal organizer certification and the criteria for competence be issued in a regulation of the Minister.</p>	<p><u>Deleted.</u></p>
<p style="text-align: center;">Article 29</p>	<p><u>Deleted.</u></p>
<p>1. Amdal documents must be evaluated by an Amdal Evaluation Commission (<i>Komisi Penilai Amdal</i>) established by the Ministry, governor or regent/mayor according to their respective authorities.</p>	
<p>2. The Amdal Evaluation Commission must hold a license from the Ministry, governor or regent/ mayor according to their respective authorities.</p>	
<p>3. The requirements and procedures for the licensing referred to in paragraph (2) will be issued in a regulation of the Minister.</p>	

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Article 30	<u>Deleted.</u>
<p>(1) Members of the Amdal Evaluation Commission referred to in Article 29 must consist of representatives of:</p> <ul style="list-style-type: none"> a. environmental institutions; b. related technical institutions; c. experts in fields of knowledge related to the type of business and/or activity assessed; d. experts in fields of knowledge related to the impacts which might arise from the business and/or activity assessed; e. representatives of the potentially affected public; and f. environmental organizations. 	
<p>(2) In executing the task, the Amdal Evaluation Commission must be assisted by a technical team consisting of independent experts undertaking the technical assessment and a secretariat established for the purpose.</p>	
<p>(3) The independent experts and secretariat referred to in paragraph (3) shall be appointed by the Ministry, governor or regent/mayor according to their respective authorities.</p>	
Article 31	<u>Deleted.</u>
<p>Based on the result of evaluation by the Amdal Evaluation Commission, the Ministry, governor or regent/mayor will issue the decision on the environmental feasibility or unfeasibility according to their respective authorities.</p>	
Article 32	Article 32
<p>(1) The Government and regional governments will support the formulation of the Amdal for businesses and/or activities of economically weak groups which have a significant impact on the environment</p>	<p>(1) <u>The Central Government and Local Governments assist in the preparation of the Amdal for businesses and / or activities of Micro and Small-scale Enterprises that have a significant impact on the environment.</u></p>
<p>(2) The assistance provided for the</p>	<p>(2) The assistance provided for the</p>

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formulation of the Amdal referred to in paragraph (1) will be in the form of facilitation, costs and/or the formulation of the Amdal.	preparation of the Amdal referred to in paragraph (1) will be in the form of facilitation, costs and/or the formulation of the Amdal.
(3) The criteria for businesses and/or activities of economically weak groups will be provided in the laws and regulations.	(3) <u>The determination of the businesses and / or activities of Micro and Small-scale Businesses referred to in paragraph (1) will be made based on the criteria under the prevailing laws and regulations.</u>
Article 34	Article 34
(1) Every business and/or activity which does not meet in the compulsory Amdal criteria referred to in Article 23 paragraph (1) must have an UKL-UPL.	(1) Every business and / or activity <u>that does not have a significant impact on the environment must comply with UKL-UPL standards.</u>
(2) Governors or regents/mayors will specify the types of businesses and/or activities which require an UKL-UPL	(2) <u>The compliance with the UKL-UPL standards referred to in paragraph (1) is stated in the Statement of Ability to Manage the Environment (Pernyataan Kesanggupan Pengelolaan Lingkungan Hidup).</u>
	(3) <u>Based on the Statement of Ability to Manage the Environment referred to in paragraph (2), the Central Government or Regional Government will issue a Business License or approval from the Central Government or Regional Government.</u>
	(4) <u>The Central Government will determine the types of businesses and / or activities that require an UKL-UPL.</u>
	(5) <u>Further provisions on the UKL-UPL will be issued in a Government Regulation.</u>
Article 35	Article 35
(1) The businesses and/or activities not required to have an UKL-UPL referred to in Article 34 paragraph (2) must prepare a statement of readiness to	(1) The businesses and/or activities not required to have an UKL-UPL referred to in Article 34 paragraph (4) must prepare a statement of readiness to

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manage and monitor the environment.	manage and monitor the environment <u>integrated into the Business Identification Number.</u>
(2) The types of businesses and/or activities referred to in paragraph (1) will be specified on the basis of the following criteria: a. they are excluded from the category having significant impact referred to in Article 23 paragraph (1); and b. micro- and small-scale business activities.	(2) The determination of the types of business and/or activity referred to in paragraph (1) will be made for activities that fall into the low-risk category.
(3) Further provision on the UKL-UPL and statement of readiness to manage and monitor the environment will be issued in a Regulation of the Minister.	(3) <u>Further provisions on the statement of capability for environmental management and monitoring will be issued a Government Regulation.</u>
Article 36	<u>Deleted.</u>
(1) Every business and/or activity required to have an Amdal or UKL-UPL must have an Environmental License. (2) The Environmental License referred to in paragraph (1) will be issued based on a decision on the environmental feasibility referred to in Article 31, or an UKL-UPL recommendation. (3) The Environmental License referred to in paragraph (1) must have affixed to it the requirements contained in decision on environmental feasibility or UKL-UPL recommendation. (4) The Environmental License will be issued by the Ministry, governor or regent/mayor according to their respective authorities.	
Article 37	Article 37
(1) The Ministry, governors or regents/mayors according to their respective authorities must reject an application for an Environmental License if the application is not	<u>A Business License can be nullified if:</u> <u>a. the requirements submitted in the application for the Business License contain legal defects, errors, misuse,</u>

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<p>accompanied by an Amdal or UKL-UPL.</p> <p>(2) The Environmental License referred to in Article 36 paragraph (4) may be nullified if:</p> <ul style="list-style-type: none"> a. the requirements submitted in the application for an Environmental License contain legal defects, errors, misuse, as well as untruths and/or falsifications of data, documents and/or information; b. the issuance fails to comply with the requirements imposed under the decision of the commission on environmental feasibility or UKL-UPL recommendation; or c. the obligations imposed under the Amdal or UKL-UPL document are not executed complied with by the personnel in charge of the business and/or activities. 	<p><u>as well as untruths and/or falsifications of data, documents and/or information;</u></p> <ul style="list-style-type: none"> b. <u>its issuance does not comply with the requirements under the Environmental Feasibility Decree or Statement of Environmental Management Ability; or</u> c. <u>the obligations imposed under the Amdal or UKL-UPL document are not complied with by the person in charge of the business and / or activity.</u>
Article 38	<u>Deleted.</u>
Other than for the reason referred to in Article 37 paragraph (2), the Environmental License may be nullified through a decision of the state administrative court.	
Article 39	Article 39
(1) The Ministry, governors or regents/mayors according to their respective authorities must announce every application for and decision on an Environmental License.	(1) <u>The Environmental Feasibility Decree must be publicized to the community.</u>
(2) The announcement as referred to in paragraph (1) shall be done by a method that the public could understand easily.	(2) The publicizing referred to in paragraph (1) will be <u>conducted through an electronic system and / or other means determined by the Central Government.</u>

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Article 40	<u>Deleted.</u>
<p>(1) The Environmental License shall constitute a requirement for securing business and/or activity License.</p> <p>(2) In the event an Environmental License is revoked, the Business and/or Activity License will also be nullified.</p> <p>(3) In the event of any change to the business and/or activity, the personnel in charge of the business and/or activity must renew the Environmental License.</p>	
Article 55	Article 55
<p>(1) Holders of the Environmental License referred to in Article 36 paragraph (1) must provide guarantee funds for the restoration of the environmental function.</p>	<p>(1) Holders of an <u>Environmental Approval</u> must provide guarantee funds for the restoration of the environmental function.</p>
<p>(2) The guarantee funds must be saved in state banks appointed by the Ministry, governors or regents/mayors according to their respective authorities.</p>	<p>(2) The guarantee funds must be saved in state banks appointed by the <u>Central Government</u>.</p>
<p>(3) The Ministry, governors or regents/mayors according to their respective authorities may designate the third party to restore the environmental function using guarantee funds.</p>	<p>(3) The <u>Central Government</u> may designate the third party to restore the environmental function using guarantee funds.</p>
<p>(4) Further provisions on the guarantee funds referred to in paragraph (1) up to paragraph (3) will be issued in a Government Regulation.</p>	<p>(4) Further provisions on the guarantee funds referred to in paragraph (1), <u>paragraph (2) and paragraph (3)</u> will be issued in a Government Regulation</p>
Article 59	Article 59
<p>(1) Every person producing B3 waste must manage the B3 waste they produce.</p>	<p>(1) Every person producing B3 <u>Waste</u> must manage the B3 waste they produce.</p>
<p>(2) In the event the B3 referred to in Article 58 paragraph (1) has expired, its management must follow the provisions</p>	<p>(2) In the event the B3 referred to in Article 58 paragraph (1) has expired, its management must follow the</p>

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on the management of B3 waste.	provisions on the <u>Management of B3 Waste</u> .
(3) In the event any person is unable to manage the B3 waste by themselves, its management may be given to another party.	(3) In the event any person <u>referred to in paragraph (1)</u> is unable to manage the B3 waste by themselves, its management may be given to another party.
(4) The management of B3 waste requires a license from the Ministry, governor or regent/mayor according to their respective authorities.	(4) The management of B3 <u>Waste</u> requires a <u>Business Licensing</u> , or approval from the <u>Central Government and Regional Government</u> .
(5) The Ministry, governors or regents/mayors according to their respective authorities will attach environmental requirements that must be satisfied and obligations that must be complied with by managers of B3 waste to their license.	(5) The <u>Central Government or Regional Government</u> will attach environmental requirements to be satisfied and obligations that must be complied with by Managers of B3 Waste <u>to the Business License or approval from the Central Government or Regional Government</u> .
(6) The licensing decision must be announced.	(6) The licensing decision must be announced.
	(7) Further provisions on B3 Waste Management issued in the Government Regulation.
Article 61	Article 61
(1) The dumping referred to in Article 60 may only be conducted under a license from the Ministry, governor or regent/mayor according to their respective authorities.	(1) The dumping referred to in Article 60 may only be conducted with <u>approval from the Central Government</u> .
(2) The dumping referred to in paragraph (1) may only be conducted in determined locations.	(2) The dumping referred to in paragraph (1) may only be conducted in determined locations.
(3) Further provisions on the procedures and requirements for the dumping of waste or materials will be issued in a Government Regulation.	(3) Further provision on the procedures and requirements for the dumping of waste or materials will be issued in a Government Regulation.

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---	<p style="text-align: center;"><u>Article 61A</u></p> <p><u>In the event the person in charge of a business and / or activity:</u></p> <ul style="list-style-type: none"> a. <u>produces, transports, distributes, stores, utilizes and / or processes B3;</u> b. <u>generates, transports, stores, collects, utilizes, processes and / or landfills hazardous waste;</u> c. <u>discharges waste water into the sea;</u> d. <u>discharges waste water into water sources;</u> e. <u>releases emissions into the air; and / or</u> f. <u>utilizes wastewater for spraying on the ground;</u> <p><u>which is part of a business activity, its management must be stated in the Amdal or UKL-UPL.</u></p>
Article 63	Article 63
<p>(1) In protecting and managing the environment, the Government has the duties and is authorized to:</p> <ul style="list-style-type: none"> a. determine national policies; b. determine norms, standards, procedures and criteria; c. determine and implement national RPPLH policies; d. determine and implement KLHS policies; e. determine and implement Amdal and UKL-UPL policies; f. implement a national inventory of natural resources and greenhouse gas emissions; g. develop cooperation standards; h. coordinate and implement control over environmental pollution and/or damage; i. determine and implement policies on biological and non-biological natural resources, biological diversity, genetic resources and biological safety of genetically engineered products; j. determine and implement policies 	<p>(1) In protecting and managing the environment, the <u>Central</u> Government has the duties and is authorized to:</p> <ul style="list-style-type: none"> a. determine national policies; b. determine norms, standards, procedures and criteria; c. determine and implement national RPPLH policies; d. determine and implement KLHS policies; e. determine and implement Amdal and UKL-UPL policies; f. implement a national inventory of natural resources and greenhouse gas emissions; g. develop cooperation standards; h. coordinate and implement control over environmental pollution and/or damage; i. determine and implement policies on biological and non-biological natural resources, biological diversity, genetic resources and biological safety of genetically engineered products; j. determine and implement

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<p>on control over impacts of climate change and protection of ozone layer;</p> <p>k. determine and implement policies on B3, waste, as well as B3 waste;</p> <p>l. determine and implement policies on maritime environment protection policies;</p> <p>m. determine and implement policies protection and/or damage of inter-state border environment;</p> <p>n. foster and supervise the implementation of national policies, regional regulations and regulations of heads of regions;</p> <p>o. foster and supervise compliance of personnel in charge of businesses and/or activities to the provisions of environmental licensing and laws and regulations;</p> <p>p. develop and determine environmental instruments;</p> <p>q. coordinate and facilitate cooperation and settlement of inter-regional disputes as well as settlement of disputes;</p> <p>r. develop and implement policies on the management of public complaints;</p> <p>s. determine minimum service standards;</p> <p>t. determine policies on procedures for recognizing the existence of traditional public, local wisdom, and rights of traditional public with respects to environmental protection and management;</p> <p>u. manage national environmental information;</p> <p>v. coordinate, develop and socialize the utilization of environmentally sound technology;</p> <p>w. provide education, training, fostering and appreciation;</p> <p>x. develop facilities and standards of</p>	<p>policies on control over impacts of climate change and the protection of the ozone layer;</p> <p>k. determine and implement policies on B3, waste, as well as B3 waste;</p> <p>l. determine and implement policies on maritime environment protection policies;</p> <p>m. determine and implement policies on the protection of and/or damage to the inter-state border environment;</p> <p>n. foster and supervise the implementation of <u>national-level policies and provincial-level policies</u>;</p> <p>o. foster and supervise compliance by the personnel in charge of businesses and/or activities with the <u>Environmental Approval and</u> laws and regulations;</p> <p>p. develop and determine environmental instruments;</p> <p>q. coordinate and facilitate cooperation and the settlement of inter-regional disputes as well as the settlement of disputes;</p> <p>r. develop and implement policies on the management of public complaints;</p> <p>s. determine minimum service standards;</p> <p>t. determine policies on procedures for recognizing the existence of traditional communities, local wisdom, and rights of traditional communities with respect to environmental protection and management;</p> <p>u. manage national environmental information;</p> <p>v. coordinate, develop and publicize the utilization of environmentally sound technology;</p> <p>w. provide education, training, fostering and appreciation;</p> <p>x. develop facilities and the</p>

The Environmental Law	Article 22 of The Job Creation Law
<p>environmental laboratory;</p> <p>y. issue environmental license;</p> <p>z. determine ecoregion area; and</p> <p>aa. enforce environmental law.</p>	<p>standards of environmental laboratories;</p> <p>y. issue <u>Business Licenses or Central Government approval</u>;</p> <p>z. determine ecoregion areas; and</p> <p>aa. enforce environmental law.</p>
<p>(2) In protecting and managing the environment, provincial government shall be responsible and authorized to:</p> <p>a. determine provincial policies;</p> <p>b. determine and implement provincial KLHS;</p> <p>c. determine and implement provincial RPPLH policies;</p> <p>d. determine and implement Amdal and UKL-UPL policies;</p> <p>e. organize an inventory of natural resources and greenhouse gas emissions at provincial level;</p> <p>f. develop and implement cooperation and partnership;</p> <p>g. coordinate and implement control over inter-regency/municipality environmental pollution and/or damage;</p> <p>h. foster and supervise the implementation of regional policies, regulations and regulations of heads of regency/municipal governments;</p> <p>i. foster and supervise compliance by the personnel in charge of businesses and/or activities with the provisions of environmental licenses and laws and regulations;</p> <p>j. develop and determine environmental instruments;</p> <p>k. coordinate and facilitate cooperation and the settlement of inter-regency/city disputes as well as the settlement of disputes;</p> <p>l. foster, provide technical assistance and supervise regencies/municipalities in the field of programs and activities;</p>	<p>(2) In protecting and managing the environment, provincial governments according to the norms, standards, procedures and criteria determined by the Central Government, are responsible and authorized to:</p> <p>a. determine provincial policies;</p> <p>b. determine and implement provincial KLHS;</p> <p>c. determine and implement provincial RPPLH policies;</p> <p>d. determine and implement Amdal and UKL-UPL policies;</p> <p>e. organize an inventory of natural resources and greenhouse gas emissions at provincial level;</p> <p>f. develop and implement cooperation and partnership;</p> <p>g. coordinate and implement control over inter-regency/municipal environmental pollution and/or damage;</p> <p>h. foster and supervise the implementation of policies at regency/municipality level;</p> <p>i. foster and supervise compliance by personnel in charge of businesses and/or activities with the prevailing laws and regulations;</p> <p>j. develop and determine environmental instruments;</p> <p>k. coordinate and facilitate cooperation and the settlement of inter-regency/municipality disputes as well as the settlement of disputes;</p> <p>l. foster, provide technical assistance and supervise regencies/municipalities in the field of programs and activities;</p>

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<ul style="list-style-type: none"> m. implement minimum service standards; n. determine policies on procedures for recognizing the existence of traditional communities, local wisdom, and rights of traditional communities with respect to environmental protection and management at provincial level; o. manage environmental information at provincial level; p. develop and publicize the utilization of environmentally sound technology; q. provide education, training, fostering and appreciation; r. issue environmental licenses at provincial level; and s. enforce environmental law at provincial level. 	<ul style="list-style-type: none"> m. implement minimum service standards; n. determine policies on procedures for recognizing the existence of traditional communities, local wisdom, and rights of traditional communities with respect to environmental protection and management at provincial level; o. manage environmental information at provincial level; p. develop and publicize the utilization of environmentally sound technology; q. provide education, training, fostering and appreciation; r. issue Business Licenses or Regional Government approval at provincial level; and s. enforce environmental law at provincial level.
<p>(3) In protecting and managing the environment, regency/municipal governments are assigned and authorized to:</p> <ul style="list-style-type: none"> a. determine regency/municipal policies; b. determine and implement regency/municipal KLHS; c. determine and implement regency/municipal RPPLH policies; d. determine and implement Amdal and UKL-UPL policies; e. organize an inventory of natural resources and greenhouse gas emissions at regency/municipal level; f. develop and implement cooperation and partnership; g. develop and apply environmental instruments; h. facilitate the settlement of disputes; i. foster and supervise compliance by personnel in charge of 	<p>(3) In protecting and managing the environment, regency/municipal governments, <u>according to the norms, standards, procedures and criteria determined by the Central Government</u>, are assigned and authorized to:</p> <ul style="list-style-type: none"> a. determine regency/municipal policies; b. determine and implement regency/municipal KLHS; c. determine and implement regency/municipal RPPLH policies; d. determine and implement Amdal and UKL-UPL policies; e. organize an inventory of natural resources and greenhouse gas emissions at regency/municipal level; f. develop and implement cooperation and partnership; g. develop and apply environmental instruments; h. facilitate the settlement of disputes; i. foster and supervise compliance by personnel in charge of

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<p>businesses and/or activities with the provisions of environmental licenses and laws;</p> <p>j. implement minimum service standards;</p> <p>k. implement policies on procedures for recognizing the existence of traditional communities, local wisdom, and rights of traditional communities with respect to environmental protection and management at regency/municipal level;</p> <p>l. manage environmental information at regency/municipal level;</p> <p>m. develop and publicize the utilization of environmentally sound technology;</p> <p>n. provide education, training, fostering and appreciation;</p> <p>o. issue Environmental Licenses at regency/municipal level; and</p> <p>p. enforce environmental law at regency/municipal level.</p>	<p>businesses and/or <u>with the prevailing laws and regulations</u>;</p> <p>j. implement minimum service standards;</p> <p>k. implement policies on procedures for recognizing the existence of traditional communities, local wisdom, and rights of traditional communities with respect to environmental protection and management at regency/municipal level;</p> <p>l. manage environmental information at regency/municipal level;</p> <p>m. develop and publicize the utilization of environmentally sound technology;</p> <p>n. provide education, training, fostering and appreciation;</p> <p>o. issue <u>Business Licenses or Regional Government Approval</u> at regency/municipal level; and</p> <p>p. enforce environmental law at regency/municipal level.</p>
Article 69	Article 69
<p>(1) Every person is prohibited from:</p> <p>a. committing actions that cause environmental pollution and/or damage;</p> <p>b. importing B3 which is forbidden under the laws into the territory of the Unitary State of the Republic of Indonesia;</p> <p>c. importing waste from outside the territory of the Unitary State of the Republic of Indonesia into environmental media of the Unitary State of the Republic of Indonesia;</p> <p>d. importing B3 waste into the territory of the Unitary State of the Republic of Indonesia;</p> <p>e. dumping waste into environmental media;</p> <p>f. dumping B3 and B3 waste into environmental media;</p>	<p>(1) Every person is prohibited from:</p> <p>a. committing actions that cause environmental pollution and/or damage;</p> <p>b. importing B3 which is forbidden under the laws into the territory of the Unitary State of the Republic of Indonesia;</p> <p>c. importing waste from outside the territory of the Unitary State of the Republic of Indonesia into environmental media of the Unitary State of the Republic of Indonesia;</p> <p>d. importing B3 waste into the territory of the Unitary State of the Republic of Indonesia;</p> <p>e. dumping waste into environmental media;</p> <p>f. dumping B3 and B3 waste into environmental media;</p>

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<p>g. releasing genetically engineered products into environmental media that contravene the environmental laws or licenses;</p> <p>h. clearing land by means of burning;</p> <p>i. preparing an Amdal without having an Amdal organizer competence certificate; and/or</p> <p>j. providing false, misleading information, deleting information, destroying information and providing untrue information.</p>	<p>g. releasing genetically engineered products into environmental media that contravene the environmental laws or licenses;</p> <p>h. clearing land by means of burning;</p> <p>i. preparing an Amdal without having an Amdal organizer competence certificate ; and/or</p> <p>j. providing false, misleading information, deleting information, destroying information and providing untrue information.</p>
<p>(2) The provision referred to in paragraph (1) h. earnestly takes into account local wisdom in the respective countries.</p>	<p>(2) The provision referred to in paragraph (1) h. <u>is exempt for people who engage in these activities with serious attention to local wisdom in their respective regions.</u></p>
Article 71	Article 71
<p>(1) The Ministry, governors or regents/mayors according to their respective authorities will supervise compliance by the personnel in charge of businesses and/or activities with the provisions of the laws on environmental protection and management.</p>	<p>(1) The <u>Central Government or Regional Government</u> will supervise compliance by the personnel in charge of businesses and/or activities with the provisions of the laws on environmental protection and management.</p>
<p>(2) The Ministry, governors or regents/mayors may delegate the authority to conduct the supervision to technical functionaries/institutions in charge of environmental protection and management affairs.</p>	<p>(2) The <u>Central Government or Regional Government</u> may delegate the authority to conduct the supervision to technical functionaries/institutions in charge of environmental protection and management affairs.</p>
<p>(3) In performing the supervision, the Ministry, governors or regents/mayors designate the environmental supervision officials who are functional officials.</p>	<p>(3) In performing the supervision, the <u>Central Government and Regional Government</u> designates the environmental supervision officials who are functional officials.</p>
	<p>(4) <u>Further provisions on environmental supervisory officers will be issued in a Government Regulation.</u></p>

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Article 72	Article 72
The Ministry, governors or regents/mayors according to their respective authorities must supervise compliance by the personnel in charge of businesses and/or activities with their Environmental License.	<u>The Central Government or Regional Governments according to their respective authorities according to the norms, standards, procedures and criteria determined by the Central Government are obliged to supervise compliance by those in charge of business and / or activities with their Business License or approval from the Central Government or Regional Government.</u>
Article 73	Article 73
The Ministry may supervise compliance by the personnel in charge of businesses and/or activities which have an Environmental License issued by the regional government if the government decides a serious violation has been committed in the field of environmental protection and management	The Ministry may supervise compliance by the personnel in charge of businesses and/or activities <u>whose Business License or Regional Government approval is issued by the Regional Government if the Minister considers that there has been a serious violation in the field of environmental protection and management according to the norms, standards, procedures and criteria determined by the Regional Government or Central government.</u>
Article 76	Article 76
(1) The Minister, governors or regents/mayor will impose administrative sanctions on the personnel in charge of businesses and/or activities in the event their Environmental license is violated.	(1) <u>The Central Government or Regional Government will apply administrative sanctions n the personnel in charge of a business and / or activity if under their supervision there is a violation of the Business License or approval from the Central Government or Regional Government.</u>
(2) The administrative sanctions consist of: a. written warnings; b. government enforcement; c. a suspension the Environmental License; or d. the revocation of the Environmental License.	(2) <u>Further provisions on the procedures for imposition of sanctions will be issued in a Government Regulation.</u>
Article 77	Article 77
The Minister may impose administrative sanctions on the personnel in charge of	The Minister may apply administrative sanctions on personnel in charge of

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businesses and/or activities if the government decides that the regional government intentionally did not impose administrative sanctions on a serious violation in the field of environmental protection and management.	businesses and/or activities <u>if the Minister</u> decides that the <u>Regional Government</u> intentionally did not impose administrative sanctions for a serious violation in the field of environmental protection and management.
Article 82	Article 82
(1) The Ministry, governors or regents/mayors are authorized to force the personnel in charge of businesses and/or activities to restore the environment after environmental pollution and/or damage committed by the relevant personnel in charge of the business and/or activities.	(1) <u>The Central Government</u> is authorized to force personnel in charge of businesses and/or activities to restore the environment after environmental pollution and/or damage committed by the relevant personnel in charge of the business and/or activities.
(2) The Ministry, governors or regents/mayors are authorized to appoint or may appoint a third party to restore the environment following environmental pollution and/or damage committed by the personnel in charge of a business and/or activities at the expense of the personnel in charge of the business and/or activities.	(2) <u>The Central Government is authorized</u> or may appoint a third party to restore the environment after environmental pollution and/or damage committed by the personnel in charge of a business and/or activities at the expense of the personnel in charge of the business and/or activities.
	<u>Article 82A</u>
---	<u>Anyone who engages in a business and / or activity without:</u> <ol style="list-style-type: none"> a. <u>the Business License or approval from the Central Government or Regional Government referred to under Article 24 paragraph (5), Article 34 paragraph (3), Article 59 paragraph (1) or Article 59 paragraph (4); or</u> b. <u>approval from the Central Government or Regional Government referred to in Article 20 paragraph (3) letter b;</u> <u>will be subject to administrative sanctions.</u>
	<u>Article 82B</u>
---	(1) <u>Anyone who engages in a business</u>

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	<p><u>and / or activity that has:</u></p> <ul style="list-style-type: none"> a. <u>the Business License, or approval from the Central Government or Regional Government referred to in Article 24 paragraph (5), Article 34 paragraph (3), Article 59 paragraph (1), or Article 59 paragraph (4);</u> b. <u>approval from the Central Government or Regional Government referred to in Article 20 paragraph (3) b.; or</u> c. <u>approval from the Central Government referred to under Article 61 paragraph (1);</u> <p><u>that does not comply with the obligations under the Business License, or approval from the Central Government or the Regional Government, approval from the Central Government or Regional Government, and / or violates the provisions of laws and regulations in the field of environmental protection and management, will be subject to administrative sanctions.</u></p> <p>(2) <u>Anyone who violates the prohibition referred to in Article 69, that is:</u></p> <ul style="list-style-type: none"> a. <u>commits an act that results in pollution and / or damage to the environment referred to in Article 69 a., if the act is committed due to negligence and does not cause a human health hazard and / or serious injury and / or injury, and / or the death of a person will be subject to administrative sanctions and obliges the Person in Charge of the action to conduct the restoration of the environmental functions and / or other actions required; or</u> b. <u>prepares the Amdal without having a certificate of competence to compile an Amdal</u>

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	<p><u>referred to in Article 69 i. will be subject to administrative sanctions.</u></p> <p>(3) <u>Anyone who due to their negligence commits an act that results in exceeding the ambient air quality standard, water quality standard, sea water quality standard, or environmental damage standards not in accordance with the Business License will be subject to administrative sanctions.</u></p>
	<u>Article 82C</u>
---	<p>(1) <u>The administrative sanctions referred to in Article 82A and Article 82B paragraph (1), paragraph (2), and paragraph (3) are in the form of:</u></p> <ul style="list-style-type: none"> a. <u>written warnings;</u> b. <u>government enforcement;</u> c. <u>administrative fines;</u> d. <u>the freezing of the Business License; and / or</u> e. <u>the revocation of thre Business License.</u> <p>(2) <u>Further provisions on the criteria, types, amounts of fines, and procedures for the imposition of the administrative sanctions referred to in paragraph (1) will be issued a Government Regulation.</u></p>
Article 88	Article 88
Any person whose action, business and/or activity using B3, producing and/or managing B3 waste causes a serious threat to the environment is absolutely responsible for the losses incurred without the need to prove the mistake.	Any person whose action, business and/or activity using B3, producing and/or managing B3 waste causes a serious threat to the environment is absolutely responsible for the <u>losses caused by their business/activities.</u>
Article 93	<u>Deleted.</u>
(1) Any person may file lawsuit against a state-administration decision in the event that:	

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<p>a. state administration agencies or officials issue an Environmental License to a business and/or for activities obliged to undergo an Amdal but not accompanied by Amdal documents;</p> <p>b. state administration agencies or officials issue an Environmental license for activities obliged to undergo an UKL-UPL but not accompanied by UKL-UPL documents; and/or</p> <p>c. state administration agencies or officials issue a business and/or activity license not accompanied by an Environmental License.</p> <p>(2) The procedures for filing a lawsuit against a state administration decision must refer to the State Administration Code.</p>	
Article 102	<u>Deleted.</u>
<p>Any person who manages B3 waste without the permit referred to in Article 59 paragraph (4), will be sentenced to from 1 (one) year in prison up to 3 (three) years and a fine of from Rp1,000,000,000.00 (one billion Rupiah) up to Rp. 3,000,000,000.00 (three billion Rupiah).</p>	
Article 109	Article 109
<p>Any person who engages in a business and/or activity without the Environmental License referred to in Article 36 paragraph (1), will be subject to imprisonment for from one year to 3 (three) years and fined from Rp1,000,000,000 (one billion Rupiah) to Rp3,000,000,000 (three billion Rupiah).</p>	<p><u>Anyone who engages in a business and / or activity without:</u></p> <p>a. <u>the Business License or approval from the Central Government or Regional Government referred to in Article 24 paragraph (5), Article 34 paragraph (3), Article 59 paragraph (1), or Article 59 paragraph (4);</u></p> <p>b. <u>the approval from the Central Government or Regional Government referred to in Article 20 paragraph (3) b.; or</u></p>

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	<p>c. <u>the approval from the Central Government referred to in Article 61 paragraph (1);</u></p> <p><u>which results in a victim / damage to health, safety and / or the environment, will be sentenced prison for from 1 (one) year up to 3 (three) years and fined of from Rp1,000,000,000 (one billion Rupiah) to Rp3,000,000,000 (three billion Rupiah).</u></p>
Article 110	<u>Deleted.</u>
<p>Any person who formulates an Amdal without having the Amdal organizer certificate of competence referred to in Article 69 paragraph (1) i., will be subject to imprisonment for up to 3 (three) years and a fine of up to Rp3,000,000,000 (three billion Rupiah).</p>	
Article 111	Article 111
<p>(1) Any Environmental License issuance officials who issues an Environmental License without the Amdal or UKL-UPL referred to in Article 37 paragraph (1) will be subject to imprisonment for up to 3 (three) years and a fine of up to Rp3,000,000,000 (three billion Rupiah).</p> <p>(2) Any business and/or activity licensing official who issues a business and/or activity license without the Environmental License referred to in Article 40 paragraph (1) will be subject to imprisonment for up to 3 (three) years and a fine of up to Rp3,000,000,000 (three billion Rupiah).</p>	<p>(1) Any environmental approval official who issues environmental approval not accompanied by the Amdal or UKL-UPL referred to in Article 37 will be subject to imprisonment for up to 3 (three) years and a fine of up to Rp3,000,000,000 (three billion Rupiah).</p>
Article 112	Article 112
<p>Any authorized official who intentionally does not supervise compliance by the personnel in charge of a business and/or activity with the laws and Environmental Licenses referred to in Article 71 and Article 72, which results in environmental pollution and/or damage resulting in a loss of human life will be sentenced to prison for up to 1 (one) year or</p>	<p>Any authorized official who intentionally does not supervise compliance by the personnel in charge of a business and/or activity with the <u>laws and Business License or Central Government or Regional Government Approval</u> referred to in <u>Article 71</u>, which results in environmental pollution and/or damage resulting in a loss of human</p>

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fined up to Rp. 500,000,000.00 (five hundred million Rupiah)	life will be sentenced to prison for up to 1 (one) year or fined up to Rp500,000,000 (five hundred million Rupiah)

G. Law No. 39 of 2014 on Plantations (the “Plantations Law”)

The Plantations Law	Article 29 of The Job Creation Law
Article 14	Article 14
<p>(1) The Central Government determines the maximum land area and the minimum farmland area for use in a Plantation Business.</p> <p>(2) The determination of the area boundaries referred to in paragraph (1) must consider:</p> <ul style="list-style-type: none"> a. the types of plant; b. the availability of farmland which is agroclimatically suitable; c. the capital; d. the mill capacity; e. the density rate; f. the business development scheme; g. the geographical conditions; h. the development of technology; and i. the utilization of farmland according to the function of the space under the laws and regulations concerning spatial planning. <p>(3) Further provisions on the determination of the maximum area boundaries will be issued in a Government Regulation.</p>	<p>(1) The Central Government determines the maximum land area and the minimum farmland area for use in a Plantation Business.</p> <p>(2) The determination of the area boundaries referred to in paragraph (1) must consider:</p> <ul style="list-style-type: none"> <u>a. the types of the plant;</u> <u>b. the availability of farmland which is agroclimatically suitable.</u> <p>(3) Further provisions on the determination of the area boundaries will be issued in a Government Regulation.</p>
Article 15	Article 15
A Plantation Company is prohibited from transferring land tenure for Plantation Farming that results in the business unit becoming less than the minimum land area referred to in Article 14.	<u>Plantation companies engaged in a partnership or nucleus plasma activities are prohibited from transferring their rights to Plantation Business land resulting in a business unit that is less than the minimum area referred to in Article 14.</u>

The Plantations Law	Article 29 of The Job Creation Law
Article 16	Article 16
<p>(1) a Plantation Company must cultivate the Plantation Land as follows:</p> <ul style="list-style-type: none"> a. within 3 (three) years of the entitlement to land tenure, a Plantation Company must farm farmland constituting at least 30% (thirty percent) of the land area it is entitled to; and b. within 6 (six) years of the entitlement to land tenure, a Plantation Company must farm the whole area of the land it is entitled to which is technically arable. <p>(2) If the Farmland is not farmed according to paragraph (1), the non-farmed Plantation Land will be taken over by the state according to the prevailing laws and regulations.</p>	<p>(1) A Plantation Company must cultivate Plantation Land <u>within 2 (two) years after the granting of the status of the land rights.</u></p> <p>(2) If the Plantation Land is not farmed according to paragraph (1), the non-cultivated Plantation Land will be taken over by the state according to the prevailing laws and regulations.</p>
Article 17	Article 17
<p>(1) Authorized officials are prohibited from issuing a Plantation license/permit for land under Customary Rights (<i>Hak Ulayat</i>) of Indigenous People.</p> <p>(2) The provision on the prohibition referred to in paragraph (1) does not apply if an agreement between the Indigenous people and the Plantation Business Actor is reached regarding the disposal of the land and the compensation referred to in Article 12 paragraph (1).</p>	<p>(1) Authorized officials are prohibited from issuing a <u>Business License</u> for land under Customary Rights (<i>Hak Ulayat</i>) of Indigenous People.</p> <p>(2) The provision on the prohibition referred to in paragraph (1) does not apply if an agreement between the Indigenous people and the Plantation Business Actor is reached on the Land takeover and compensation referred to in Article 12 paragraph (1).</p>
Article 18	Article 18
<p>(1) A Plantation Company in breach of Article 15 and Article 16 will be given administrative sanctions.</p>	<p>(1) A Plantation Company in breach of Article 15 and Article 16 will be given administrative sanctions.</p>

The Plantations Law	Article 29 of The Job Creation Law
<p>(2) The administrative sanctions referred to in paragraph (1) will include:</p> <ol style="list-style-type: none"> a. a fine; b. a suspension of business activities; and/or c. the revocation of the plantation license/ permit. <p>(3) Further provisions on the types, amount of the fine, and procedures for the imposition of the administrative sanctions referred to in paragraph (1) and paragraph (2) will be issued in a Government Regulation.</p>	<p>(2) <u>the types, amount of the fine, and procedures for the imposition of the administrative sanctions referred to in paragraph (1) and paragraph (2) will be issued in a Government Regulation.</u></p>
Article 24	Article 24
<p>(1) The Central Government will determine the types of plantation crop seeds the exportation from and/or importation of which into the territory of the Unitary State of the Republic of Indonesia is subject to licensing/permission.</p> <p>(2) The exportation of seeds from and/or their importation into the territory of the Unitary State of the Republic of Indonesia requires a license/permit from the Minister.</p> <p>(3) The importation of seeds from abroad must meet the minimum quality standards or technical requirements.</p> <p>(4) Further provisions on the minimum quality standards or technical requirements referred to in paragraph (3) will be issued in a Government Regulation.</p>	<p>(1) The Central Government will determine the types of plantation crops seeds, the exportation from and/or importation of which into the territory of the Unitary State of the Republic of Indonesia <u>requires approval.</u></p> <p>(2) The exportation of seeds from and/or their importation into the territory of the Unitary State of the Republic of Indonesia <u>requires approval from the Central Government.</u></p> <p>(3) The importation of seeds from abroad must meet the minimum quality standards or technical requirements.</p> <p>(4) Further provisions on the minimum quality standards or technical requirements referred to in paragraph (3) will be issued in a Government Regulation.</p>

The Plantations Law	Article 29 of The Job Creation Law
<p style="text-align: center;">Article 30</p> <p>(1) Varieties that are bred or introduced from abroad must, before circulation, be released by the Central Government or launched by the variety holder.</p> <p>(2) Further provisions on the requirements and procedures for the release and launching thereof will be issued in a Regulation of the Minister.</p>	<p style="text-align: center;">Article 30</p> <p>(1) Varieties that are bred or introduced from abroad must, before circulation, be released by the Central Government or launched by the variety holder.</p> <p>(2) <u>The varieties that have been released or launched referred to in paragraph (1) can be produced and distributed.</u></p> <p>(3) <u>The varieties referred to in paragraph (2) must comply with the Business License from the Central Government before distribution.</u></p> <p>(4) <u>Further provisions on the terms and procedures for releasing or releasing well as the Business License will be issued in a Government Regulation.</u></p>
<p style="text-align: center;">Article 31</p> <p>(1) The varieties that have been released and launched referred to in Article 30 section (1) may be placed in production and circulation.</p> <p>(2) The varieties referred to in paragraph (1) are, before circulation, subject to the certification and labelling requirements.</p> <p>(3) Further provisions on production, certification, labelling, and circulation will be issued in a Regulation of the Minister.</p>	<p><u>Deleted.</u></p>
<p style="text-align: center;">Article 35</p> <p>(1) With respect to control over damaging organisms, all Plantation Business Actors must have the minimum standard infrastructure and facilities for controlling plantation crop damaging organisms.</p>	<p style="text-align: center;">Article 35</p> <p>(1) With respect to control over damaging organisms, all Plantation Business Actors must have the minimum standard infrastructure and facilities for controlling plantation crop damaging organisms.</p>

The Plantations Law	Article 29 of The Job Creation Law
(2) Further provisions on the minimum standard infrastructure and facilities referred to in paragraph (1) will be issued in a Regulation of the Minister.	(2) Further provisions on the minimum standard infrastructure and facilities referred to in paragraph (1) will be issued in a <u>Government Regulation</u> .
Article 39	Article 39
<p>(1) The Plantation Business may be engaged in throughout the territory of the Unitary State of the Republic of Indonesia by domestic Plantation Business Actors and foreign investors.</p> <p>(2) The foreign investors referred to in paragraph (1) include:</p> <ol style="list-style-type: none"> a. foreign legal entities; and b. individual foreign-citizens. <p>The foreign investors referred to in paragraph (2) engaged in the Plantation Business must cooperate with domestic Plantation Business Actors by forming an Indonesian legal entity.</p>	<p><u>Plantation Business Actors may engage in the Plantation Business in the entire territory of the Unitary State of the Republic of Indonesia in accordance with the provisions of the statutory regulations in the field of investment.</u></p>
Article 40	Article 40
<p>(1) The transfer of ownership of a Plantation Company to a foreign investor is allowed with approval from the Minister.</p> <p>(2) The Minister will, in providing the approval referred to in paragraph (1), act in the national interest.</p>	<p><u>The transfer of ownership of Plantation Companies to foreign investors is allowed after obtaining approval from the Central Government.</u></p>
Article 42	Article 42
<p>The Plantation Crop culture business and/or Farm Produce Milling/Processing business referred to in Article 41 paragraph (1) may only be engaged in by Plantation Companies that have acquired land tenure and/or a plantation license/permit.</p>	<p>(1) The Plantation Crop culture business and/or Farm Produce Milling/Processing business referred to in Article 41 paragraph (1) may only be engaged in by Plantation Companies that have obtained land tenure <u>and comply with the requirement to obtain a Plantation Business License from the Central Government.</u></p> <p>(2) <u>Further provisions on obtaining the license referred to in paragraph (1) will be issued in a Government Regulation.</u></p>

The Plantations Law	Article 29 of The Job Creation Law
Article 43	Article 43
<p>The Farm Produce Milling/Processing business may be engaged in in the area of a community self- reliance plantation that lacks a Farm Produce Milling/Processing business after obtaining land tenure and a Plantation license/permit.</p>	<p><u>Plantation Product Processing business activities can be engaged in in non-governmental plantation areas if there is no Processing of Plantation Products after obtaining land rights and a Business License from the Central Government.</u></p>
Article 45	Deleted.
<p>(1) The Plantation license/permit referred to in Article 42 will be obtained upon complying with the following requirements:</p> <ul style="list-style-type: none"> a. obtaining an Environmental license; b. complying with the regional spatial plan; and c. being consistent with the Plantation plan. <p>(2) In addition to the requirements referred to in paragraph (1):</p> <ul style="list-style-type: none"> a. a Plantation Crop culture business must have infrastructure, facilities, systems, and plant-damaging organism control; and b. a Farm Produce Milling/Processing business must process at least 20% (twenty percent) of the total raw materials originating from its own self-managed farm. 	
Article 47	Article 47
<p>(1) Plantation Companies engaged in the Plantation Crop culture business in a certain land area and/or Farm Produce Milling/Processing business with a certain mill capacity must hold a plantation license/permit.</p>	<p>(1) Plantation Companies engaged in the Plantation Crop culture business in a certain land area and/or Farm Produce Milling/Processing business with a certain mill capacity must <u>comply with their Business License from the Central Government.</u></p>

The Plantations Law	Article 29 of The Job Creation Law
<p>(2) A plantation license/permit will be issued in consideration of:</p> <ol style="list-style-type: none"> a. the types of plant; b. the Land and agroclimate suitability; c. technology; d. manpower; and e. capital. 	<p>(2) <u>Every plantation company engaged in a plantation crop cultivation business with a certain scale and / or plantation product processing business with a certain factory capacity that does not have the Business License referred to in paragraph (1) will be subject to administrative sanctions in the form of:</u></p> <ol style="list-style-type: none"> a. <u>a temporary suspension of activities;</u> b. <u>the imposition of fines; and / or</u> c. <u>Central Government enforcement.</u> <p>(3) <u>Further provisions on the Business License referred to in paragraph (1) and the criteria, types, amount of fines, and procedures for the imposition of administrative sanctions referred to in paragraph (2) will be issued in a Government Regulation.</u></p>
Article 48	Article 48
<p>(1) The plantation license/permit referred to in Article 47 paragraph (1) will be issued by:</p> <ol style="list-style-type: none"> a. the governor for an area overlapping the boundaries of districts/ municipalities; and b. the regent and/or mayor for an area within one district/ municipality. <p>(2) If the farmland for a Plantation Business is located in an inter province area, the license/permit for it will be issued by the Minister.</p> <p>(3) A Plantation Company holding a plantation license/permit must submit a periodic business progress report at least once a (1) year to the issuing authority referred to in paragraph (1) and paragraph (2).</p>	<p>(1) The <u>Business Licensing</u> referred to in Article 47 paragraph (1) is issued by:</p> <ol style="list-style-type: none"> a. the governor for an area overlapping the boundaries of districts/municipalities; and b. the regent and/or mayor for an area within one district/ municipality, <p><u>according to the norms, standards, procedures and criteria determined by the Central Government.</u></p> <p>(2) If the farmland for a Plantation Business is located in an inter province area, the license/permit for it will be issued by the Central Government.</p> <p>(3) A Plantation Company holding a <u>Business License</u> must submit a periodic business progress report at least once a (1) year to the issuing authority referred to in paragraph (1) and paragraph (2).</p>

The Plantations Law	Article 29 of The Job Creation Law
(4) The periodic business progress report referred to in paragraph (3) must also be submitted to the Minister.	(4) The periodic business progress report referred to in paragraph (3) must also be submitted to the <u>Central Government.</u>
Article 49	<u>Deleted.</u>
Further provisions on the requirements and procedures for issuing the Plantation license/permit, certain farmland areas for growing Plantation Crops, and a certain mill capacity for a Farm Produce Milling/ Processing business referred to in Article 41 to Article 48 will be issued in a Government Regulation.	
Article 50	<u>Deleted.</u>
The Minister, the governor, or the regent/mayor authorized to issue a plantation license/permit is prohibited from: a. issuing a license/permit other than in accordance with the land allocation; and/or b. issuing a license/permit other than in accordance with the terms and conditions of the prevailing laws and regulations.	
Article 58	Article 58
(1) A Plantation Company holding a Plantation license/permit or a culture Plantation license/permit must facilitate the establishment of surrounding community farms of at least 20% (twenty percent) of the total estate area farmed by the Plantation Company. (2) The establishment of a surrounding community farms referred to in paragraph (1) may be facilitated by a credit system, sharecropping, or any other form of funding agreed to under the laws and regulations.	(1) A Plantation Company holding a <u>Business Licensing for cultivation if all or part of the land comes from:</u> a. <u>other areas of use that are outside the right to cultivate; and /or</u> b. <u>areas originating from the release of forest areas.</u> must facilitate the establishment of surrounding community farms of at least 20% (twenty percent) of the total estate area farmed by the Plantation Company. (2) The establishment of a surrounding community farms referred to in paragraph (1) may be facilitated by a credit system, sharecropping, or any other form of funding agreed to under the prevailing laws and regulations.

The Plantations Law	Article 29 of The Job Creation Law
<p>(3) The obligation to facilitate the establishment of farms referred to in paragraph (1) must be complied with within 3 (three) years of obtaining the right to farm.</p> <p>(4) The facilitation of the establishment of community farms referred to in paragraph (1) must be reported to the Central Government and the Regional Government according to their respective authorities.</p>	<p>(3) The obligation to facilitate the establishment of farms referred to in paragraph (1) must be complied with within 3 (three) years of obtaining the right to farm.</p> <p>(4) The facilitation of the establishment of community farms referred to in paragraph (1) must be reported to the Central Government and the Regional Governments according to their respective authorities.</p>
Article 60	Article 60
<p>(1) A Plantation Company in breach of Article 58 will be given administrative sanctions.</p> <p>(2) The administrative sanctions referred to in paragraph (1) will be:</p> <ol style="list-style-type: none"> a. a fine; b. a suspension of the activities of the Plantation Business; and/or c. the revocation of the Plantation license/ permit. <p>(3) Further provisions on the types, amount of the fine, and the procedures for the imposition of the administrative sanctions referred to in paragraph (2) will be issued in a Government Regulation.</p>	<p>(1) A Plantation Company in breach of Article 58 will be given administrative sanctions.</p> <p>(2) The administrative sanctions referred to in paragraph (1) will be:</p> <ol style="list-style-type: none"> a. a fine; b. a suspension of the activities of the Plantation Business; and/or c. the revocation of the <u>Business License</u>. <p>(3) Further provisions on the types, the amount of the fine, and the procedures for the imposition of the administrative sanctions referred to in paragraph (2) will be issued in a Government Regulation.</p>
Article 67	Article 67
<p>(1) Any Plantation Business Actor that is engaged in a Plantation Business must maintain the conservation of the environmental functions.</p> <p>(2) The obligation to maintain the conservation of the environmental functions referred to in paragraph (1) must be complied with according to the prevailing laws and regulations.</p>	<p>(1) All Plantation Business Actors <u>must maintain the conservation of the environmental functions</u>.</p> <p>(2) <u>Further provisions on the obligation to maintain the environmental function preservation referred to in paragraph (1) will be issued in a Government Regulation.</u></p>

The Plantations Law	Article 29 of The Job Creation Law
<p>(3) To maintain the conservation of the environmental functions referred to in paragraph (1), a Plantation Company must, before obtaining a plantation license/permit:</p> <ol style="list-style-type: none"> a. conduct an environmental impact analysis or environmental management efforts and an environmental monitoring efforts; b. have a risk analysis and management for those using genetically-modified organisms; and c. make a statement committing to provide adequate emergency response infrastructure, facilities, and systems to mitigate fires. <p>(4) Any Plantation Company that fails to comply with the requirements referred to in paragraph (3) will have their application for a license/permit rejected.</p>	
Article 68	<u>Deleted.</u>
<p>Upon acquiring the Plantation License/Permit referred to in Article 67 section (3), a Farming Operator must apply for:</p> <ol style="list-style-type: none"> a. an environmental impact assessment or environmental management efforts and environmental monitoring efforts; b. an environmental risk analysis; and c. environmental monitoring. 	
Article 70	Article 70
<p>(1) Any Plantation Company in breach of Article 69 will be given administrative sanctions.</p> <p>(2) The administrative sanctions referred to in paragraph (1) will be:</p> <ol style="list-style-type: none"> a. a fine; b. a suspension of the activities of the Plantation Business; and/or c. the revocation of the plantation license/permit. 	<p>(1) Any Plantation Company in breach of Article 69 will be given administrative sanctions.</p> <p>(2) <u>Further provisions on the type, the amount of the fine, and the procedure for the imposition of the administrative sanctions referred to in paragraph (1) will be issued in a Government Regulation.</u></p>

The Plantations Law	Article 29 of The Job Creation Law
(3) Further provisions on the types, the amount of the fine, and the procedures for the imposition of the administrative sanctions referred to in paragraph (1) will be issued in a Government Regulation.	
Article 74	Article 74
<p>(1) Every certain plantation product processing unit made from imported raw materials must, within 3 (three) years of the milling/processing unit being in operation, develop a farm.</p> <p>(2) Further provisions on the types of the certain Farm Produce Milling/Processing referred to in paragraph (1) will be issued in a Government Regulation.</p>	<p>(1) Every certain plantation product processing unit made from imported raw materials <u>is required to develop a plantation within a certain period after the processing unit starts operating.</u></p> <p>(2) <u>The farm that is developed referred to in paragraph (1) must be integrated with the plantation product processing unit after the processing unit starts operating.</u></p> <p>(3) <u>Provisions on the certain types of Plantation Product Processing and certain period referred to in paragraph (1) will be issued in a Government Regulation.</u></p>
Article 75	Article 75
<p>(1) Any Plantation Business Actor in breach of Article 74 paragraph (1) will be given administrative sanctions.</p> <p>(2) The administrative sanctions referred to in paragraph (1) will be:</p> <ol style="list-style-type: none"> a. a fine; b. a suspension of the activities, production, and/or circulation of industrial products; c. damages; and/or d. a revocation of the plantation license/permit. <p>(3) Further provisions on the types, amount of penalty, and procedures for imposition of sanctions referred to in paragraph (1) will be issued in a Government Regulation.</p>	<p>(1) Any Plantation Business Actor in breach of Article 74 paragraph (1) will be given administrative sanctions.</p> <p>(2) <u>Further provisions on the types, amount of fines, and procedures for the imposition of the administrative sanctions referred to in paragraph (1) will be issued in a Government Regulation.</u></p>

The Plantations Law	Article 29 of The Job Creation Law
Article 93	Article 93
(1) Farming finance that is provided by the Central Government will be sourced from the state budget.	(1) Farming finance that is provided by the Central Government will be sourced from the state budget.
(2) Farming finance that is provided by the authorized Regional Government will be sourced from the state budget.	(2) Farming finance that is provided by the authorized Regional Governments will be sourced from the state budget.
(3) Farming finance that is provided by Plantation Business Actors will be sourced from fundraising by the Plantation Business Actors, financial institution funds, public funds and other lawful funds.	(3) Farming finance that is provided by Plantation Business Actors will be sourced from fundraising by the Plantation Business Actors, financial institution funds, public funds and other lawful funds.
(4) The fundraising by Plantation Business Actors referred to in paragraph (3) must be used for the development of human resources, research and development, plantation promotion, the rejuvenation of Plantation Crops, and/or Plantation infrastructure and facilities.	(4) The fundraising by Plantation Business Actors referred to in paragraph (3) must be used for the development of human resources, research and development, Plantation promotion, the rejuvenation of Plantation Crops, plantation infrastructure and facilities, <u>plantation development, and / or providing plantation products for food, bio-fuel, and downstream plantation industries.</u>
(5) Further provisions on the fundraising by Plantation Business Actors, finance institutions, and the public referred to in paragraph (4) will be issued in a Government Regulation.	(5) <u>The funds collected by Plantation Business Actors referred to in paragraph (3) must be managed by the plantation fund management agency which is authorized to collect, administer, manage, store and channel these funds.</u>
	(6) <u>Further provisions on the raising of funds referred to in paragraph (4) and the management agency for the estate funds referred to in paragraph (5) will be issued in a Government Regulation.</u>

The Plantations Law	Article 29 of The Job Creation Law
<p style="text-align: center;">Article 95</p> <p>(1) The Central Government will develop the Plantation Business through domestic investment and foreign investment.</p> <p>(2) The Plantation Business development referred to in paragraph (1) will give preference to domestic investment.</p> <p>(3) The foreign investment referred to in paragraph (1) must be subject to limitations in the national interest and the interest of smallholders.</p> <p>(4) The foreign investment referred to in paragraph (3) will be limited by the type of Plantation Crops, business scale, and conditions of a certain area.</p> <p>(5) Further provisions on foreign investment, the types of Plantation Crops, business scale, and conditions of a certain area will be issued in a Government Regulation.</p>	<p style="text-align: center;">Article 95</p> <p>(1) The Central Government will develop the Plantation Business through <u>capital investment</u>.</p> <p>(2) <u>The investment referred to in paragraph (1) will be made in accordance with the provisions of the statutory regulations in the investment sector, with due observance of the interests of the Planters.</u></p>
<p style="text-align: center;">Article 96</p> <p>(1) The development of the Plantation Business is conducted by the Central Government and Regional Governments according to their respective authorities.</p>	<p style="text-align: center;">Article 96</p> <p>(1) The development of the Plantation Business is conducted by the Central Government and Regional Governments according to their respective authorities, <u>according to the norms, standards, procedures and criteria determined by the Central Government.</u></p>

The Plantations Law	Article 29 of The Job Creation Law
<p>(2) The development referred to in paragraph (1) will include:</p> <ul style="list-style-type: none"> a. planning; b. the conduct the Plantation Business; c. plantation product milling/processing and marketing; d. research and development; e. the development of human resources; f. farming finance; and g. the provision of investment recommendations. 	<p>(2) The development referred to in paragraph (1) will include:</p> <ul style="list-style-type: none"> a. planning; b. the conduct of the Plantation Business; e. plantation product milling/processing and marketing; d. research and development; e. the development of human resources; f. farming finance; and g. the provision of investment recommendations. <p>(3) <u>Further provisions on the development referred to in paragraph (1) will be issued in a Government Regulation.</u></p>
Article 97	Article 97
<p>(1) Technical guidance for state-owned, private plantation companies and / or planters is provided by the Minister.</p> <p>(2) An evaluation of the performance of state-owned and/or private Plantation Companies will be made by assessments of Plantation Businesses routinely and/or at any time.</p> <p>(3) Further provisions on the technical directions and assessment of Plantation Businesses/ Farms will be issued in a Government Regulation.</p>	<p>(1) Technical guidance for state-owned, private plantation companies and / or planters is provided by the <u>Central Government</u>.</p> <p>(2) An evaluation of the performance of state-owned and/or private Plantation Companies will be made by assessments of Plantation Businesses routinely and/or at any time.</p> <p>(3) Further provisions on the technical directions and assessment of Plantation Businesses/ Farms will be issued in a Government Regulation.</p>
Article 99	Article 99
<p>(1) The supervision referred to in Article 98 will be performed by:</p> <ul style="list-style-type: none"> a. reporting from Plantation Business Actors; and/or b. the monitoring and evaluation of the conduct and products of Plantation Businesses/ Farms. <p>(2) In certain circumstances, supervision may be performed by examining the processes and Farm Produce.</p>	<p>(1) The supervision referred to in Article 98 will be performed by:</p> <ul style="list-style-type: none"> a. reporting from Plantation Business Actors; and/or b. the monitoring and evaluation of the conduct and products of Plantation Businesses/ Farms. <p>(2) In certain circumstances, supervision may be performed by examining the processes and Farm Produce.</p>

The Plantations Law	Article 29 of The Job Creation Law
<p>(3) The reporting referred to in paragraph (1) (a) will be public information that is published and accessible transparently to the public under the prevailing laws and regulations.</p> <p>(4) The monitoring and evaluation referred to in paragraph (1) point (b) will be made by observing and verifying the reports against practices in the field.</p> <p>(5) Further provisions on the requirements and procedures for supervision will be issued in a Regulation of the Minister.</p>	<p>(3) The reporting referred to in paragraph (1) (a) will be public information that is published and accessible transparently to the public under the prevailing laws and regulations.</p> <p>(4) The monitoring and evaluation referred to in paragraph (1) (b) will be made by observing and verifying the reports against practices in the field.</p> <p>(5) Further provisions on the requirements and procedures for supervision will be issued in a <u>Government Regulation</u>.</p>
Article 103	Article 103
<p>Any official that issues a Plantation License/Permit over Land under Customary Rights (<i>Hak Ulayat</i>) of the Indigenous People referred to in Article 17 paragraph (1) will be sentenced to prison for up to 5 (five) years or fined up to Rp5,000,000,000 (five billion Rupiah).</p>	<p>Any official that issues a <u>Business Licensing related to Plantation</u> over Customary Rights (<i>Hak Ulayat</i>) Land of the Indigenous People referred to in Article 17 paragraph (1) will be sentenced to imprisonment of at most 5 (five) years or a fine of at most Rp5,000,000,000 (five billion rupiah).</p>
Article 105	<u>Deleted.</u>
<p>Any Plantation Company that is engaged in a Plantation Crop culture business in a certain land area and/or Farm Produce Milling/Processing business with a certain mill capacity but lacks the Plantation License/Permit referred to in Article 47 section (1) will be sentenced to prison for up to 5 (five) years and fined up to Rp10,000,000,000 (ten billion Rupiah).</p>	
Article 109	<u>Deleted.</u>
<p>Plantation Business Actors that do not conduct the</p> <ol style="list-style-type: none"> a. environmental impact assessment or environmental management efforts and an environmental monitoring efforts; b. environmental risk analysis; or c. environmental monitoring, 	
<p>referred to in Article 68 will be sentenced to prison for up to 3 (three) years and fined up to Rp3,000,000,000 (three billion Rupiah).</p>	

H. Law No. 41 of 1999 on Forestry (the “Forestry Law”)

Forestry Law	Article 36 of The Job Creation Law
Article 15	Article 15
(1) The forest area confirmation referred to in Article 14, is be implemented through the following procedures: a. forest area designation, b. forest area boundary arrangement; c. forest area mapping, and d. forest area stipulation.	(1) The forest area confirmation referred to in Article 14, is implemented through the following procedures: a. forest area designation, b. forest area boundary arrangement; c. forest area mapping; and d. forest area stipulation
(2) The forest area stipulation referred to in paragraph (1), will be conducted while taking into account the regional spatial plan.	(2) The forest area stipulation referred to in paragraph (1), will be conducted while taking into account the regional spatial plan.
---	(3) <u>Confirmation of a forest area is conducted using information technology and geographic or satellite coordinates.</u>
---	(4) <u>The Central Government prioritizes the acceleration of the establishment of forest areas referred to in paragraph (1) in strategic areas.</u>
---	(5) <u>Further provisions on priorities for the acceleration of the establishment of forest areas referred to in paragraph (4) will be issued in a Government Regulation.</u>
Article 18	Article 18
(1) The Government will state and maintain the adequacy of forest areas and forest coverage for each river basin area and or island in order to optimize the environmental, social and economic benefits for local communities.	(1) The <u>Central</u> Government will determine and maintain the adequacy of forest areas and forest coverage for each river basin area and or island in order to optimize the environmental, social and economic benefits for local communities.
(2) The minimum area of a forest area to be maintained referred to in paragraph (1), is at least 30% (thirty percent) of the total area of the river basin area or island	(2) <u>The Central Government regulates the size of the area which must be maintained in accordance with the physical and geographical conditions</u>

Forestry Law	Article 36 of The Job Creation Law
which has proportionate distribution.	<u>of the watershed and / or islands.</u>
	(3) <u>Further provisions on the extent of forest areas that must be maintained including areas with national strategic projects will be issued in a Government Regulation.</u>
Article 19	Article 19
(1) Changes to the allocation and function of a forest area will be issued by the Government based on the results of integrated research.	(1) Changes to the allocation and function of a forest area will be determined by the <u>Central Government</u> while <u>taking into account</u> the results of integrated research.
(2) The changes to the allocation of a forest area referred to in paragraph (1), having a significant and broad impact as well as a strategic value, will be issued by the Government with approval from the People's Global Legislative- Assembly.	(2) <u>Provisions on the procedures for changing the designation and changing the functions of forest areas referred to in paragraph (1) will be issued in a Government Regulation.</u>
(3) Provisions on the procedures for changing the allocation and function of forest areas referred to in paragraph (1) and paragraph (2), will be issued in a Government Regulation.	<u>Deleted.</u>
Article 26	Article 26
(1) The utilization of a preserved forest area can be in the form of the utilization of its area, environmental services, and the collection of non-timber forest products	(1) The utilization of a preserved forest area can be in the form of the utilization of its area, environmental services, and the collection of non-timber forest products.
(2) The utilization of preserved forest areas is implemented through the issuance of Business Licenses for an area's utilization, environmental services and the collection of non-timber forest products.	(2) <u>The utilization of a preserved forest area will be implemented through the issuance of business licenses for the utilization of an area, environmental services and the collection of non-timber forest products.</u>

Forestry Law	Article 36 of The Job Creation Law
Article 27	Article 27
<p>(1) The Business License for the utilization of an area referred to in Article 26 paragraph (2), can be issued to:</p> <ul style="list-style-type: none"> a. individuals, b. cooperatives. 	<p>(1) Business license for the utilization of an area referred to in Article 26 paragraph (2), can be issued to:</p> <ul style="list-style-type: none"> a. individuals, b. cooperatives; c. <u>state-owned enterprises;</u> d. <u>region owned enterprises; or</u> e. <u>privately owned enterprises.</u>
<p>(2) The Business License for the utilization of environmental services referred to in Article 26 paragraph (2), can be issued to:</p> <ul style="list-style-type: none"> a. individuals, b. cooperatives, c. Indonesian private companies d. State or regional government-owned companies. 	<p><u>Deleted.</u></p>
<p>(3) The Business License for collecting non-timber forest products referred to in Article 26 paragraph (2), can be issued to:</p> <ul style="list-style-type: none"> a. individuals, b. cooperatives 	<p><u>Deleted.</u></p>
Article 28	Article 28
<p>(1) The utilization of a production forest area can be in the form of the utilization of its area, environmental services, the utilization of timber and non-timber forest products, and the collection of timber and non-timber forest products.</p>	<p>(1) The utilization of a production forest area can be in the form of the utilization of its area, environmental services, the utilization of timber and non-timber forest products, and the collection of timber and non-timber forest products.</p>
<p>(2) The utilization of a production forest area will be implemented through issuing Business Licenses for an area's utilization, the utilization of environmental services, the utilization of timber forest products, the utilization of non-timber forest products, the collection of timber and non-timber forest products.</p>	<p>(2) <u>The utilization of a production forest area referred to in paragraph (1) will be conducted by the issuance of Business Licensing from the Central Government.</u></p>

Forestry Law	Article 36 of The Job Creation Law
Article 29	Article 29
(1) The Business License for the utilization of an area referred to in Article 28 paragraph (2), can be issued to: <ul style="list-style-type: none"> a. individuals, b. cooperatives. 	(1) The Business License for utilization of an area referred to in Article 28 paragraph (2), can be issued to: <ul style="list-style-type: none"> a. individuals, b. cooperatives. c. <u>state-owned enterprises;</u> d. <u>region owned enterprises; or</u> e. <u>privately owned enterprises.</u>
(2) The Business License for the utilization of environmental services referred to in Article 28 paragraph (2) can be issued to: <ul style="list-style-type: none"> a. individuals, b. cooperatives, c. Indonesian private companies d. state or regional government-owned companies 	<u>Deleted.</u> <u>Deleted.</u>
(3) The Business License for the utilization of non-timber forest products referred to in Article 28 paragraph (2) can be issued to: <ul style="list-style-type: none"> a. individuals, b. cooperatives, c. Indonesian private companies d. state or regional government-owned companies 	<u>Deleted.</u>
(4) The Business License for the utilization of timber forest products referred to in Article 28 paragraph (2) can be issued to: <ul style="list-style-type: none"> a. individuals, b. cooperatives, c. Indonesian private companies d. state or regional government-owned companies 	<u>Deleted.</u>
(5) The Business License for the collection of timber and non-timber forest products referred to in Article 28 paragraph (2) can be issued to: <ul style="list-style-type: none"> a. individuals, b. cooperatives. 	<u>Deleted.</u>

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---	Article 29A
---	<p>(1) <u>The use of a protection forest area and a production forest area referred to in Article 26 and Article 28 can be conducted through social forestry activities.</u></p> <p>(2) <u>The social forestry activities referred to in paragraph (1) can be engaged in by:</u></p> <ol style="list-style-type: none"> a. <u>individuals;</u> b. <u>forest farmer groups; and</u> c. <u>cooperatives.</u>
---	Article 29B
---	<u>Further provisions on Forest Utilization Licensing and Social Forestry Activities will be issued in a Government Regulation.</u>
Article 30	Article 30
In order to empower communities economically, every state-owned company, region-owned company, and Indonesian private company that has obtained a business permit for the utilization of environmental services, a business permit for the utilization of timber and non-timber forest products, is required to cooperate with community cooperatives.	In order to empower communities economically, every state-owned company, regional government-owned company and private company <u>holding a Business Licensing</u> must cooperate with local community cooperatives.
Article 31	Article 31
(1) In order to ensure the principles of justice, equitable distribution and sustainability, Business Licenses for forest utilization will be subject to limitations while taking forest sustainability and business certainty aspects into consideration.	(1) In order to ensure the principles of justice, equitable distribution and sustainability, <u>Business Licensing</u> for forest area utilization will be subject to limitations while taking forest sustainability and business certainty aspects into consideration.
(2) The limitations referred to in paragraph (1) will be issued in a Government Regulation.	(2) The limitations referred to in paragraph (1) will be issued in a Government Regulation.
Article 32	Article 32
Holders of the licenses referred to in Article 27	Holders of a <u>Business Licensing</u> must keep,

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and Article 29 must keep, maintain and preserve the forest areas in which their businesses are located.	maintain and preserve the forest areas in which their businesses are located.
Article 33	Article 33
(1) Forest product utilization businesses include the activities of planting, cultivating, harvesting, processing and marketing forest products.	(1) Forest product utilization businesses include the activities of planting, cultivating, harvesting, processing and marketing forest products.
(2) The harvesting and processing of forest products referred to in paragraph (1), may not exceed the sustainable carrying capacities of the forests.	(2) The harvesting and processing of forest products referred to in paragraph (1), may not exceed the sustainable carrying capacity of the forest areas.
(3) The regulation, supervision and development of the forest product processing referred to in paragraph (2), will be conducted by the Minister.	(3) The regulation, supervision and development of the forest product processing referred to in paragraph (2) will be regulated under a <u>Government Regulation</u> .
Article 35	Article 35
(1) Every holder of a Business License for forest utilization referred to in Article 27 and Article 29 must pay a Business License contribution, forest rent tax, reforestation funds, and performance bonds.	(1) Every holder of a <u>Business License</u> for the utilization of a forest area is subject to <u>non-tax state revenue in the forestry sector</u> .
(2) Every holder of the Business License for the utilization of a forest area referred to in Article 27 and Article 29 must provide investment funds for forest conservation.	(2) <u>The non-tax state revenue in the forestry sector referred to in paragraph (1) originating from reforestation funds is only used for forest and land rehabilitation activities.</u>
(3) Every holder of a Business License for the collection of forest products referred to in Article 27 and Article 29 must only pay the forest lease tax.	(3) <u>Every Business Licensing holder related to the utilization of a forest area must provide investment funds for forest conservation costs.</u>
(4) Further provisions on the matters referred to in paragraph (1), paragraph (2) and paragraph (3) will be issued in a Government Regulation.	(4) <u>Every Business Licensing holder related to the collection of forest products is only subject to non-tax state revenue under the regulations in the forestry sector.</u>
	(5) <u>Further provisions on the levies referred to in paragraph (1), paragraph</u>

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	<u>(2), paragraph (3), and paragraph (4) will be issued in a Government Regulation.</u>
Article 38	Article 38
(1) The utilization of forest areas for development needs for non-forestry purposes can only be conducted in production and preserved forest areas.	(1) The utilization of forest areas for development needs for non-forestry purposes can only be conducted in production and preserved forest areas.
(2) The utilization of forest area referred to in paragraph (1) may be conducted without changing the main function of the forest areas.	(2) The utilization of forest areas referred to in paragraph (1) may be conducted without changing the main function of the forest areas.
(3) The utilization of forest areas for mining activities requires a lend-to-use license issued by the Minister, while taking the area limitations, a certain time frame and environmental sustainability into account.	(3) <u>The utilization of forest areas is conducted through borrow-to-use by the Central Government while taking into account certain area boundaries and timeframes as well as environmental sustainability.</u>
(4) Open-cast mining is prohibited in preserved forest areas.	(4) <u>In protected forest areas, it is prohibited to conduct open cast mining.</u>
(5) The Lend-to-use license referred to in paragraph (3), which has significant, broad and strategic impacts, is issued by the Minister with approval from the People's Legislative Assembly.	<u>Deleted.</u>
Article 48	Article 48
(1) The Government supervises forest protection, both within and outside forest areas.	(1) <u>The Central Government and Regional Governments according to their respective authorities according to the norms, standards, procedures and criteria determined by the Central Government, manage forest protection, both within and outside forest areas.</u>
(2) The Government conducts forest protection within state forests.	(2) <u>Forest protection in state forests is provided by the Central Government and Regional Governments according to their respective authorities according to the norms, standards, procedures and criteria determined by</u>

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	<u>the Central Government</u>
(3) Holders of the Forest Utilization License referred to in Article 27 and Article 29, and other parties receiving the authority to manage forests referred to in Article 34, must protect the forests in their work areas.	(3) <u>Holders of the Business Licensing related to the utilization of forest areas and parties receiving forest management authority referred to in Article 34 must protect forest areas in their work areas.</u>
(4) Rights holders must provide Forest protection within the forests they are entitled to.	(4) <u>Forest protection in private forest areas is provided by the right holder.</u>
(5) In order to ensure the best implementation, the public must be involved in the forest protection efforts.	(5) <u>To ensure the best implementation of forest protection, the public must be involved in forest protection efforts.</u>
(6) Further provisions on the matters referred to in paragraph (1), paragraph (2), paragraph (3), paragraph (4) and paragraph (5) will be issued in a Government Regulation.	(6) <u>Further provisions on the matters referred to in paragraph (1), paragraph (2), paragraph (3), paragraph (4), and paragraph (5) will be issued in a Government Regulation.</u>
Article 49	Article 49
Holders of rights or licenses are responsible for forest fires occurring in their respective work areas.	(1) <u>Holders of rights or a Business Licensing must make every effort to prevent forest fires in their work areas.</u>
	(2) <u>Holders of rights or a Business Licensing are responsible for forest fires in their work areas.</u>
Article 50	Article 50
(1) Everyone is prohibited from destroying forest protection infrastructure and facilities.	(1) Any person issued a <u>Business Licensing</u> is prohibited from destroying forest protection infrastructure and facilities.

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<p>(2) Holders of a Business License for the utilization of a forest area; the utilization of environmental services, the utilization of timber and non-timber forest products, and the collection of non-timber forest products is prohibited from engaging any activities which lead to forest destruction.</p> <p>(3) No one is allowed to:</p> <ol style="list-style-type: none"> a. cultivate and/or use and/or occupy a forest area illegally; b. encroach on a forest area; c. fell trees within a radius or distance of up to: <ol style="list-style-type: none"> 1. 500 (five hundred) meters from the sides of a dam or a lake; 2. 200 (two hundred) meters from the edge of water sources and river banks in a swamp area; 3. 100 (hundred) meters from river banks; 4. 50 (fifty) meters from the banks of streams; 5. 2 (two) times the depth of a ravine from the edge of the ravine; 	<p>(2) <u>Every person is prohibited from:</u></p> <ol style="list-style-type: none"> a. <u>working, using and / or occupying forest areas illegally;</u> b. <u>burning down forests;</u> c. <u>harvesting or collecting forest products in a forest area without the right or approval from the authorized official;</u> d. <u>keeping forest products that are known or reasonably suspected to have originated from forest areas that were taken or collected illegally;</u> e. <u>grazing livestock in forest areas not specifically designated for this purpose by an authorized official;</u> <ol style="list-style-type: none"> a. <u>disposing of objects that can cause fires or damage or endanger the existence or sustainability of forest functions in forest areas; and</u> b. <u>removing, carrying and transporting wild plants and animals that are not protected by law originating from forest areas without the approval of the authorized official.</u> <p>(3) <u>Provisions on releasing, carrying and / or transporting protected plants and / or animals will be issued in accordance with the prevailing laws and regulations.</u></p>

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<p>6. 130 (one hundred thirty) times the difference between the highest and the lowest tide, measured from the coastline;</p>	
<ul style="list-style-type: none"> d. burn forests; e. fell trees or harvest or collect any forest products within a forest area without holding any rights or licenses issued by the relevant authorities; f. receive, buy or sell, receive in exchange, receive as entrusted goods, keep or possess any forest products which have been harvested illegally from a forest area. g. engage in general investigation, exploration or exploitation activities for mining materials within a forest area without the Minister's approval; h. carry, possess or keep forest products without holding the required legal document; i. graze livestock within a forest area which is not assigned specifically by the relevant authorities for that purpose; j. bring heavy equipment or other equipment which is commonly used or will presumably be used for transporting forest products within a forest area, without approval from the relevant authorities; k. bring equipment which is commonly used for felling, trimming, splitting trees, without approval from the relevant authorities; l. dispose of any inflammable material in a forest area which may cause forest fires and threaten the existence and sustainability of forest functions; or m. remove, carry, transport plants and wildlife species which are not protected under any law, from a 	

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forest area without approval from the relevant authorities.	
(4) Further provisions on the removal, carrying or transporting of protected plants and animal species, will be issued in accordance with the prevailing laws and regulations.	
	<u>Article 50A</u>
---	<p>(1) <u>In the event that the violation referred to in Article 50 paragraph (2) c., d. and / or e. is committed by individuals or groups of people who have lived in and / or around the forest area for at least 5 (five) years continuously, they will be subject to administrative sanctions.</u></p> <p>(2) <u>The imposition of the administrative sanctions referred to in paragraph (1) does not apply to:</u></p> <ul style="list-style-type: none"> a. <u>individuals or community groups residing in and / or around a forest area for at least 5 (five) years continuously which are registered in the Forest Zone management policy; or</u> b. <u>an individual who has received social or customary sanctions.</u>
Article 78	Article 78
(1) Any person who intentionally violates Article 50, paragraph (1) or Article 50 paragraph (2), will be sentenced to prison for up to 10 (ten) years fined up to Rp5,000,000,000 (five billion Rupiah).	(1) Any person who intentionally violates Article 50, paragraph (1) or Article 50 paragraph (2), will be sentenced to prison for up to 10 (ten) years and fined up to Rp5,000,000,000 (five billion Rupiah).
(2) Any person who intentionally violates Article 50 paragraph (3) sub-paragraph a, b and c, will be sentenced to prison for up to 10 (ten) years and fined up to Rp5,000,000,000 (five billion Rupiah).	(2) Any person who intentionally violates the provisions of Article 50 paragraph (2) <u>letter a</u> will be sentenced to prison for up to 10 (ten) years and fined up to <u>Rp7,500,000,000 (seven billion five hundred million Rupiah).</u>
(3) Any person who, due to his/her	(3) Any person who due to his/her

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negligence, violates Article 50 paragraph (3) sub-paragraph (d) will be sentenced to prison for up to 15 (fifteen) years and fined up to Rp5,000,000,000 (five billion Rupiah).	negligence, violates the provisions of Article 50 <u>paragraph (2) b.</u> will be sentenced to prison for up to 15 (fifteen) years and fined up to <u>Rp7,500,000,000 (seven billion five hundred million Rupiah).</u>
(4) Any person who, due to his/her negligence, violates Article 50 paragraph (3) sub-paragraph d, will be sentenced to prison for up to 5 (five) years and fined up to Rp1,500,000,000 (one billion five hundred million Rupiah).	(4) Any person who due to his/her negligence, violates the provisions of Article 50 <u>paragraph (2) b.</u> , will be sentenced to prison for up to 5 (five) years and fined up to <u>Rp3,500,000,000 (three billion five hundred million Rupiah)</u>
(5) Any person who intentionally violates Article 50 paragraph (3) sub-paragraph (e) or sub-paragraph (f), will be sentenced to prison for up to 10 (ten) years and fined up to Rp5,000,000,000 (five billion Rupiah).	(5) Any person intentionally violates the provisions of <u>Article 50 paragraph (2) letter c.</u> , will be subject to maximum fine of <u>Rp3,500,000,000 (three billion five hundred million Rupiah).</u>
(6) Any person who intentionally violates Article 38 paragraph (4) and Article 50 paragraph (3) sub-paragraph (g), will be sentenced to prison for up to 10 (ten) years and fined up to Rp5,000.000.000 (five billion Rupiah).	(6) Any person who intentionally violates the provisions of Article <u>50 paragraph (2) d.</u> , will be sentenced to prison for up to <u>5 (five) years</u> and fined up to <u>Rp3,500,000,000 (three billion five hundred million Rupiah).</u>
(7) Any person who intentionally violates Article 50 paragraph (3) sub-paragraph (h), will be sentenced to prison for up to 5 (five) years and fined up to Rp10,000,000,000 (ten billion Rupiah).	(7) Any person who intentionally violates the provisions of <u>Article 38 paragraph (4).</u> , will be sentenced to prison for up to <u>10 (ten) years</u> and fined up to <u>Rp7,500,000,000 (seven billion five hundred million Rupiah).</u>
(8) Any person who intentionally violates Article 50 paragraph (3) sub-paragraph (i), will be sentenced to prison for up to 3 (three) months and fined up to Rp10,000,000 (ten million Rupiah).	(8) Any person who intentionally violates the provisions of Article 50 paragraph (2) e., will be sentenced to prison for up to <u>3 (three) months</u> and fined up to <u>Rp10,000,000 (ten million Rupiah).</u>
(9) Any person who intentionally violates Article 50 paragraph (3) sub-paragraph (j), will be sentenced to prison for up to 5 (five) years and fined up to Rp5,000,000,000 (five billion Rupiah).	(9) Any person who intentionally violates the provisions of Article 50 paragraph (2) f., will be sentenced to prison for up to <u>3 (three) years</u> and fined up to <u>Rp2,000,000,000 (two billion Rupiah).</u>
(10) Any person who intentionally violates	(10) Any person who intentionally violates

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Article 50 paragraph (3) sub-paragraph (k), will be sentenced to prison for up to 3 (three) years and fined Rp1,000,000,000 (one billion Rupiah).	the provisions of Article 50 paragraph (2) g., will be sentenced to prison for up to 1 (one) year and maximum fined up to <u>Rp100,000,000 (one hundred million Rupiah).</u>
(11) Any person who intentionally violates Article 50 paragraph (3) sub-paragraph (l), will be sentenced to prison for up to 3 (three) years and fined up to Rp1,000,000,000 (one billion Rupiah).	(11) If the criminal offenses referred to in Article 50 paragraph (1) and paragraph (2) are committed by a company and / or on behalf of a company, the company and its management will be subject to criminal penalties increased by 1/3 (one third) of the main criminal fine.
(12) Any person who intentionally violates Article 50 paragraph (3) sub-paragraph (m), will be sentenced to prison for up to 1 (one) year and fined up to Rp50,000,000 (fifty million Rupiah).	(12) All forest products resulting from crimes and violations and / or means of transportation, including means of transportation used to commit crimes and / or violations referred to in this article, will be confiscated for the state.
(13) The Criminal acts referred to in paragraph (1), paragraph (2), paragraph (3), paragraph (4), paragraph (5), paragraph (6), paragraph (7), paragraph (9), paragraph (10), and paragraph (11) are defined as criminal conduct, while the acts referred to in paragraph (8), and paragraph (12) are defined as violations.	<u>Deleted.</u>
(14) The Criminal Acts as referred to in Article 50 paragraph (1), paragraph (2), and paragraph (3), if committed by and/or on behalf of a legal or business entity, the prosecution and criminal sanctions will be imposed on the board of management thereof, either individually or jointly, who will receive the respective criminal sanction with an addition of 1/3 (one third) of the sanction imposed.	<u>Deleted.</u>
(15) All forest products obtained as the result of criminal acts and violations and/or all equipment including transport vehicles used in committing the criminal acts and/or the violations referred to in this article will be confiscated for the State.	<u>Deleted.</u>

Forestry Law	Article 36 of The Job Creation Law
Article 80	Article 80
(1) Every act violating under this Law, without prejudice to the criminal sanctions under Article 78, obliges the person in charge of the act to pay compensation according to the extent of the damage or the consequences caused to the state for the cost of the rehabilitation and restoration of forest conditions and other action required	(1) Every act violating under this Law, without prejudice to the criminal sanctions under Article 78, obliges the person in charge of the act to pay compensation according to the extent of the damage or the consequences caused to the state for the cost of the rehabilitation and restoration of forest conditions and other action required.
(2) Every holder of a Business License for the utilization of a forest area; the utilization of environmental services, the utilization of forest products, the collection forest products under this law, who violates provisions other than the criminal provisions of Article 78 will be subject to administrative sanctions.	(2) Any holder of a <u>Business Licensing to utilize a forest area under this Law who violates provisions other than the criminal provisions of Article 78 will be subject to administrative sanctions.</u>
(3) Further provisions on the matters referred to in paragraph (1) and paragraph (2) will be issued in a Government Regulation.	(3) Further provisions <u>on the procedure for paying the compensation</u> referred to in paragraph (1) <u>and the procedure for the imposition of the administrative sanctions</u> referred to in paragraph (2) will be issued in a Government Regulation.

H. Law No. 7 of 2014 on Trade (“Trade Law”)

The Trade Law	Article 46 of The Job Creation Law
Article 6	Article 6
(1) All business operators must use or affix an Indonesian-language label to Goods traded domestically.	(1) All business operators must use or affix an Indonesian-language label to Goods traded domestically.
(2) Further provisions on the use and affixation of Indonesian-language labels will be issued in a Regulation of the Minister.	(2) <u>Any Business Actor that fails to comply with the provisions referred to in paragraph (1) will be subject to administrative sanctions.</u>
	(3) Further provisions on the use and affixation of Indonesian-language labels will be issued <u>in a Government Regulation.</u>

The Trade Law	Article 46 of The Job Creation Law
Article 11	Article 11
Further provisions on the Distribution of Goods will be issued <u>in a Regulation</u> of the Minister.	Further provisions on the Distribution of Goods will be issued <u>in a Government Regulation</u> .
Article 14	Article 14
<p>(1) The authorized Government and/or Regional Governments will regulate in an equal and just manner the development, organization and guidance for people's Markets, shopping centers, self-service stores, and grocery stores to provide business certainty and a balanced cooperative relationship between suppliers and retailers by giving preference to cooperatives and micro, small and medium-scale businesses.</p> <p>(2) The development, organization and guidance referred to in paragraph (1) will be implemented by the regulation of licensing, spatial planning, zoning with due regard to the distance and location of their establishment, partnership, and business cooperation.</p> <p>(3) Further provisions on the regulation of licensing, spatial planning, and zoning will be issued by or in a Regulation of the President.</p>	<p>(1) The <u>Central Government</u> will regulate in an equal and just manner the development, organization and guidance for people's Markets, shopping centers, self-service stores, and grocery stores to provide business certainty and a balanced cooperative relationship between suppliers and retailers by giving preference to cooperatives and micro, small and medium-scale businesses.</p> <p>(2) The development, organization and guidance referred to in paragraph (1) will be implemented by the regulation of <u>Business Licensing</u>, spatial planning, zoning with due regard to the distance and location of their establishment, partnership, and business cooperation.</p> <p>(3) Further provisions on the regulation of <u>Business Licensing</u>, spatial planning, and zoning will be issued by or <u>in a Government Regulation</u>.</p>
Article 15	Article 15
<p>(1) The warehouse referred to in Article 12 paragraph (1) point (d) will be one of the Trade facilities to enhance the smooth flow of the Distribution of Goods traded domestically and abroad.</p> <p>(2) The warehouse referred to in paragraph (1) must be registered by a warehouseman according to the classification of Warehouses by their size and storage capacity.</p> <p>(3) Any warehouse owner that fails to conduct the warehouse registration referred to in paragraph (2) will be given</p>	<p>(1) The warehouse referred to in Article 12 paragraph (1) point (d) will be one of the Trade facilities to enhance the smooth flow of the Distribution of Goods traded domestically and abroad.</p> <p>(2) <u>All warehouse owners are required to have a Business License from the Central Government.</u></p> <p>(3) Any warehouse owner <u>that does not hold the Business Licensing</u> referred to in paragraph (2) will be given an</p>

The Trade Law	Article 46 of The Job Creation Law
<p>an administrative sanction of the closing of the warehouse for a fixed period and/or a fine of up to Rp2,000,000,000 (two billion Rupiah).</p> <p>(4) Provisions on the procedures for the warehouse registration referred to in paragraph (2) will be issued in a Regulation of the Minister.</p> <p>(5) Provisions on the imposition of the administrative sanctions referred to in paragraph (3) will be issued by or in a Government Regulation.</p>	<p><u>administrative sanction.</u></p> <p>(4) <u>Further provisions on the Business Licensing</u> referred to in paragraph (2) will be issued in a <u>Government Regulation.</u></p>
Article 17	Article 17
<p>(1) Any warehouseman, warehouse operator or warehouse tenant engaged in storing goods for trading must administratively record at least the quantity of goods stored and the quantity of goods entering and leaving the warehouse.</p> <p>(2) Any Warehouseman, Warehouse operator or Warehouse tenant that fails to keep the administrative records referred to in paragraph (1) will be given an administrative sanction of the revocation of the Trading License.</p> <p>(3) Further provisions on the administrative recording of Goods referred to in paragraph (1) will be issued in a Regulation of the Minister.</p>	<p>(1) Any warehouseman, warehouse operator or warehouse tenant engaged in storing goods for trading must administratively record at least the quantity of goods stored and the quantity of goods entering and leaving the warehouse.</p> <p>(2) Any Warehouseman, Warehouse operator, or Warehouse tenant that fails to keep the administrative records referred to in paragraph (1) will be given an administrative sanction.</p> <p>(3) Further provisions on the administrative recording of goods referred to in paragraph (1) will be issued in a <u>Government Regulation.</u></p>
Article 24	Article 24
<p>(1) A business operator to engage in trading must hold a Trading License issued by the Minister.</p> <p>(2) The Minister may assign or delegate the licensing to the Regional Governments or specified technical agencies.</p> <p>(3) The Minister may exempt a business operator from the obligation to hold a Trading License referred to in paragraph</p>	<p>(1) A business operator to engage in trading must <u>hold a Business Licensing from the Central Government.</u></p> <p>(2) <u>The Central Government may provide an exemption from the Business Licensing obligation as referred to in paragraph (1).</u></p> <p>(3) <u>Every warehouse owner is required to hold a Business Licensing from the Central Government.</u></p>

The Trade Law	Article 46 of The Job Creation Law
<p>(1).</p> <p>(4) Further provisions on the Trading License referred to in paragraph (1) and the exemption referred to in paragraph (3) will be issued in a Regulation of the Minister.</p>	<p>(4) <u>Further provisions on the Business Licensing in the Trading Sector referred to in paragraph (1) and paragraph (2) will be issued in a Government Regulation.</u></p>
Article 30	Article 30
<p>(1) The Minister may request data and/or information from a business operator about supplies of basic goods and/or essential goods.</p> <p>(2) business operators are prohibited from manipulating data and/or information about the supplies of basic goods and/or essential goods.</p>	<p>(1) <u>The Central Government</u> may request data and/or information <u>from a business operator</u> about supplies of basic goods and/or essential goods.</p> <p>(2) business operators are prohibited from manipulating data and/or information about supplies of basic goods and/or essential goods.</p>
Article 33	Article 33
<p>(1) A Producer or Importer that fails to comply with the provisions on the registration of goods referred to in Article 32 paragraph (1) must cease trading in the goods and recall goods from:</p> <ol style="list-style-type: none"> a. distributors; b. agents; c. grocers; d. retailers; and/or e. consumers. <p>(2) An instruction to cease trading activities and recall goods from the Distribution referred to in paragraph (1) will be issued by the Minister.</p> <p>(3) Any producer or importer that fails to comply with the provisions referred to in paragraph (1) will be given an administrative sanction of the revocation of the Business License.</p>	<p>(1) A Producer or Importer that fails to comply with the provisions on the registration of goods referred to in Article 32 paragraph (1) must cease trading in goods and recall goods from:</p> <ol style="list-style-type: none"> a. distributors; b. agents; c. grocers; d. retailers; and/or e. consumers. <p>(2) An instruction to cease trading activities and recall goods from the distribution referred to in paragraph (1) will be issued by the <u>Central Government</u>.</p> <p>(3) Any producer or importer that fails to comply with the provisions referred to in paragraph (1) will be given an administrative sanction of the revocation of the Business License.</p>

The Trade Law	Article 46 of The Job Creation Law
<p style="text-align: center;">Article 37</p> <p>(1) All business operators must comply with the provisions on goods and/or services that are confirmed to be goods and/or services subject to the trading restriction referred to in Article 35 paragraph (2).</p> <p>(2) Any business operator that violates the provisions on goods and/or services that are confirmed to be goods and/or services referred to in paragraph (1) will be given an administrative sanction of the revocation of the Trading License.</p>	<p style="text-align: center;">Article 37</p> <p>(1) Any business operator must comply with the provisions concerning Goods and/or Services that are determined as Goods and/or Services subject to Trade restriction referred to in Article 35 paragraph (2).</p> <p>(2) Any business operator that violates the provisions on goods and/or services that are confirmed to be goods and/or services referred to in paragraph (1) will be given an <u>administrative sanction</u>.</p>
<p style="text-align: center;">Article 38</p> <p>(1) The government will regulate Foreign Trade through policies and controls on Exports and Imports.</p> <p>(2) The policies and controls on Foreign Trading referred to in paragraph (1) will be aimed at:</p> <ol style="list-style-type: none"> a. the enhancement of the competitiveness of Indonesian export products; b. the improvement and expansion of access to foreign markets; and c. the development of the abilities of exporters and importers as reliable business operators. <p>(3) Foreign Trade Policy will include at least:</p> <ol style="list-style-type: none"> a. increasing the quantities and types as well as added-value of export products; b. harmonizing the standards and procedures for trading with trading partner countries; c. strengthening Foreign Trade institutions; d. developing Foreign Trade support facilities and infrastructure; and 	<p style="text-align: center;">Article 38</p> <p>(1) The government will regulate Foreign Trade through policies and controls on Exports and Imports.</p> <p>(2) The policies and controls on Foreign Trade referred to in paragraph (1) will be aimed at:</p> <ol style="list-style-type: none"> a. the enhancement of the competitiveness of Indonesian export products; b. the improvement and expansion of access to foreign Markets; c. the development of the ability of exporters and importers as reliable business operators; and d. <u>the enhancement and development of national inventions and innovative products that are exported abroad.</u> <p>(3) Foreign Trade Policy will include at least:</p> <ol style="list-style-type: none"> a. increasing the quantities and types as well as added-value of export products; b. harmonizing the standards and procedures for trading with trading partner countries; c. strengthening Foreign Trade institutions; d. developing Foreign Trade support facilities and

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<p>e. protection and safeguards for the national interest against the negative impacts of Foreign Trade.</p> <p>(4) Controls on Foreign Trade will include:</p> <ol style="list-style-type: none"> a. licensing; b. Standards; and c. prohibition and restriction. 	<p>infrastructure; and</p> <p>e. protection and safeguards for the national interest against the negative impacts of Foreign Trade.</p> <p>(4) Controls on Foreign Trade will include:</p> <ol style="list-style-type: none"> a. Business Licensing/approval; b. standards; and c. prohibitions and restrictions.
Article 42	Article 42
<p>(1) Exporting goods will be conducted by a business operator that is registered and confirmed as an exporter, unless otherwise provided for by the Minister.</p> <p>(2) Provisions on the confirmation as an exporter referred to in paragraph (1) will be issued in a Regulation of the Minister.</p>	<p>(1) Exporting goods will be conducted by a business operator that <u>holds a Business Licensing from the Central Government</u>.</p> <p>(2) Provisions on the confirmation as an exporter referred to in paragraph (1) will be issued in a <u>Government Regulation</u>.</p>
Article 43	Article 43
<p>(1) Exporters are fully responsible for the goods they export.</p> <p>(2) Any exporter that fails to take responsibility for the goods exported referred to in paragraph (1) will be given an administrative sanction of the revocation of the Trading License, approval, certification, and/or confirmation.</p> <p>(3) Further provisions on the procedures for the imposition of the administrative sanctions referred to in paragraph (2) will be issued in a Regulation of the Minister.</p>	<p>(1) Exporters are fully responsible for the goods they export.</p> <p>(2) Any exporter that fails to take responsibility for the goods it exports referred to in paragraph (1) will be given an <u>administrative sanction</u>.</p>
Article 45	Article 45
<p>(1) Importing goods may be conducted by an importer holding an identification number as an importer upon confirmation by the Minister.</p> <p>(2) In certain circumstances, importing goods may be conducted by an Importer holding no identification number as an Importer.</p>	<p>(1) Importing goods may be conducted by an Importer that holds a <u>Business Licensing</u>.</p> <p>(2) <u>In the event the importing is not conducted for business purposes, the importer does not require a Business Licensing.</u></p>

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(3) Provisions on the identification numbers as importers referred to in paragraph (1) will be issued in a Regulation of the Minister.	(3) <u>Further provisions</u> on the <u>Business Licensing</u> referred to in paragraph (1) will be issued in a <u>Government Regulation</u> .
Article 46	Article 46
<p>(1) Importers are fully responsible for the goods they import.</p> <p>(2) Any importer that fails to take responsibility for the goods imported referred to in paragraph (1) will be given an administrative sanction of the revocation of the Trading License, approval, certification, and/or confirmation.</p> <p>(3) Further provisions on the procedures for the imposition of the administrative sanctions referred to in paragraph (2) will be issued in a Regulation of the Minister.</p>	<p>(1) Importers are fully responsible for the goods they import.</p> <p>(2) Any Importer that fails to take responsibility for the exported goods referred to in paragraph (1) will be given an <u>administrative sanction</u>.</p>
Article 47	Article 47
<p>(1) Importers must import new Goods.</p> <p>(2) In certain circumstances, the Central Government may confirm non-new imported goods.</p> <p>(3) A request for the confirmation referred to in paragraph (2) must be submitted to the minister administering government affairs in the field of finance.</p> <p>(4) Further provisions on the confirmation of non-new imported Goods referred to in paragraph (2) will be issued in a Regulation of the Minister.</p>	<p>(1) Importers must import new Goods.</p> <p>(2) In certain circumstances, the Central Government may confirm non-new imported goods.</p> <p>(3) <u>Further provisions on the confirmation of non-new imported Goods referred to in paragraph (2) will be issued in a Government Regulation.</u></p>
Article 49	<u>Deleted.</u>
<p>(1) In conducting exports and imports, the Minister requires exporters and importers to hold a license that may be in the form of an approval, registration, confirmation, and/or certification.</p> <p>(2) The Minister requires exporters and importers to hold the license referred to in paragraph (1) for conducting</p>	

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<p>temporary exports and temporary imports.</p> <p>(3) The Minister may assign or delegate the licensing referred to in paragraph (1) to Regional Governments or specified technical agencies.</p> <p>(4) To enhance national competitiveness, the Minister may recommend import duty relief or surcharge on temporarily imported goods.</p> <p>(5) Further provisions on the license referred to in paragraph (1) and paragraph (2) will be issued in a Regulation of the Minister.</p>	
Article 51	Article 51
<p>(1) Exporters are prohibited from exporting goods that are confirmed to be Goods subject to an export prohibition.</p> <p>(2) Importers are prohibited from importing goods that are confirmed to be goods subject to an import prohibition.</p> <p>(3) The prohibited goods referred to in paragraph (1) and paragraph (2) will be specified in a Regulation of the Minister.</p>	<p>(1) Exporters are prohibited from exporting goods that are confirmed to be goods subject to an export prohibition.</p> <p>(2) Importers are prohibited from importing goods that are confirmed to be goods subject to an import prohibition.</p> <p>(3) <u>Further provisions on the criteria for the prohibited goods referred to in paragraph (1) and paragraph (2) will be issued in a Government Regulation.</u></p>
Article 52	Article 52
<p>(1) Exporters are prohibited from exporting goods other than in accordance with the provisions on restrictions on exported Goods.</p> <p>(2) Importers are prohibited from importing goods other than in accordance with the provisions on restrictions on imported Goods.</p> <p>(3) The restricted goods referred to in paragraph (1) and paragraph (2) will be specified in a Regulation of the Minister.</p> <p>(4) Any exporter that exports goods other than in accordance with the provisions</p>	<p>(1) Exporters are prohibited from exporting goods other than in accordance with the provisions on restrictions on exported goods.</p> <p>(2) Importers are prohibited from importing goods other than in accordance with the provisions on restrictions on imported goods.</p> <p>(3) <u>Any exporter and / or importer that commits the violation referred to in paragraphs (1) and (2) will be subject to administrative sanctions.</u></p> <p>(4) <u>Provisions on the criteria for the restricted goods referred to in</u></p>

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<p>on restrictions on exported Goods referred to in paragraph (3) will be given an administrative sanction and/or other sanctions provided for under the prevailing laws and regulations.</p> <p>(5) Any Importer that imports goods other than in accordance with the provisions on restrictions on imported goods referred to in paragraph (3) will be given an administrative sanction and/or other sanctions provided for under the prevailing laws and regulations.</p> <p>(6) Provisions on the imposition of the administrative sanction referred to in paragraph (4) and paragraph (5) will be issued in a Regulation of the Minister.</p>	<p><u>paragraph (1) and paragraph (2) will be issued in a Government Regulation.</u></p>
Article 53	Article 53
<p>(1) Any exporter under the administrative sanction referred to in Article 52 paragraph (4) will have his/her export goods seized by the state under the prevailing laws and regulations.</p> <p>(2) An Importer under the administrative sanction referred to in Article 52 paragraph (5) must have his/her imported goods re-exported, destroyed by the importer, or otherwise as determined by the Minister.</p>	<p>(1) Any Exporter under the administrative sanction referred to in Article 52 paragraph (3) <u>will have the exported goods controlled by the state in accordance with the prevailing laws and regulations.</u></p> <p>(2) Any Importer under the administrative sanction referred to in Article 52 paragraph (3) <u>must have the imported goods re-exported, destroyed by the Importer, or otherwise as determined by the Central Government.</u></p>
Article 57	Article 57
<p>(1) Goods traded domestically must comply with:</p> <ol style="list-style-type: none"> a. the mandatorily-applicable SNI; or b. the mandatorily-applicable technical requirements. <p>(2) Business operators are prohibited from trading goods domestically not in compliance with the mandatorily-applicable SNI or the mandatorily-applicable technical requirements.</p> <p>(3) The SNI or technical requirements</p>	<p>(1) Goods traded domestically must comply with:</p> <ol style="list-style-type: none"> a. the mandatorily-applicable SNI; or b. the mandatorily-applicable technical requirements. <p>(2) Business operators are prohibited from trading goods domestically not in compliance with the mandatorily-applicable SNI or the mandatorily-applicable technical requirements.</p> <p>(3) The SNI or technical requirements</p>

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<p>referred to in paragraph (1) will be confirmed as applicable by the Minister or the minister with the relevant duties and responsibilities.</p> <p>(4) The SNI or technical requirements referred to in paragraph (3) will be made applicable in consideration of the following aspects:</p> <ol style="list-style-type: none"> a. security, safety, health, and the environment; b. the competitiveness of national producers and fair business competition; c. the capacity and preparedness of the national business world; and/or d. the readiness of the infrastructure of the conformity assessment agencies. <p>(5) Goods to which the SNI or the technical requirements are mandatorily applicable referred to in paragraph (1) must have affixed to them an SNI mark or a conformity mark or be documented by a certificate of conformity certified by the Government.</p> <p>(6) Goods traded to which an SNI is not yet mandatorily applicable may have affixed to them an SNI mark or a conformity mark as long as they are documented by a product certificate with an SNI mark or a certificate of conformity.</p> <p>(7) A business operator trading goods to which an SNI or technical requirements are mandatorily applicable but that fails to affix an the SNI mark or a conformity mark to them, or fails to have the certificate of conformity documented referred to in paragraph (5) will be given an administrative sanction of the recall of the goods from distribution.</p>	<p>referred to in paragraph (1) <u>are determined by the Central Government.</u></p> <p>(4) The SNI or technical requirements referred to in paragraph (3) will be made applicable in consideration of the following aspects:</p> <ol style="list-style-type: none"> a. security, safety, health, and the environment; b. the competitiveness of national producers and fair business competition; c. the capacity and preparedness of the national business world; and/or d. the readiness of the infrastructure of the conformity assessment agencies. <p>(5) Goods to which the SNI or the technical requirements are mandatorily applicable referred to in paragraph (1) must have affixed to them an SNI mark or a conformity mark or be documented by a certificate of conformity certified by the Government.</p> <p>(6) Goods traded to which an SNI is not yet mandatorily applicable may have affixed to them an SNI mark or a conformity mark as long as they are documented by a product certificate with an SNI mark or a certificate of conformity.</p> <p>(7) A business operator trading goods to which an SNI or technical requirements are mandatorily applicable that fails to affix the SNI mark or a conformity mark to them, or fails to have the certificate of conformity documented referred to in paragraph (5) <u>will be given an administrative sanction.</u></p>
Article 60	Article 60
(1) Service providers are prohibited from selling services domestically not in	(1) Service providers are prohibited from selling services domestically not in

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<p>compliance with the mandatorily-applicable SNI, technical requirements, or qualifications.</p> <p>(2) The SNI, technical requirements and qualifications referred to in paragraph (1) will be confirmed as applicable by the Minister or the minister with the relevant duties and responsibilities.</p> <p>(3) The SNI, technical requirements and qualifications referred to in paragraph (2) will be made applicable in consideration of the following aspects:</p> <ol style="list-style-type: none"> a. security, safety, health, and the environment; b. the competitiveness of national producers and fair business competition; c. the capacity and preparedness of the national business world; d. the readiness of the infrastructure of the conformity assessment agencies; and/or e. local cultures, customs and traditions on a local wisdom basis. <p>(4) Services to which the SNI, technical requirements, or qualifications are mandatorily applicable referred to in paragraph (2) must be documented by a certificate of conformity certified by the Government.</p> <p>(5) Services sold in compliance with an SNI, technical requirements, or qualifications not mandatorily applicable may use a certificate of conformity under the prevailing laws and regulations.</p> <p>(6) Any service provider that sells services to which an SNI, technical requirements, or qualifications are mandatorily applicable that fails to have the certificate of conformity documented referred to in paragraph (4) will be given an</p>	<p>compliance with the mandatorily-applicable SNI, technical requirements, or qualifications.</p> <p>(2) The SNI, technical requirements and qualifications referred to in paragraph (1) will be determined by the <u>Central Government</u>.</p> <p>(3) The SNI, the technical requirements and qualifications referred to in paragraph (2) will be made applicable in consideration of the following aspects:</p> <ol style="list-style-type: none"> a. security, safety, health, and the environment; b. the competitiveness of national producers and fair business competition; c. the capacity and preparedness of the national business world; d. the readiness of the infrastructure of the conformity assessment agencies; and/or e. local cultures, customs and traditions on a local wisdom basis. <p>(4) Services to which the SNI, technical requirements, or qualifications are mandatorily applicable referred to in paragraph (2) must be documented by a certificate of conformity certified by the <u>Central Government</u>.</p> <p>(5) Services sold in compliance with the SNI, technical requirements, or qualifications not mandatorily applicable may use a certificate of conformity under the prevailing laws and regulations.</p> <p>(6) A Service Provider selling services to which an SNI, technical requirements, or qualifications are mandatorily applicable that fails to have the certificate of conformity documented referred to in paragraph (4) will be</p>

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administrative sanction of the cessation of business activities.	given an <u>administrative sanction</u> .
Article 61	Article 61
<p>(1) The SNI mark, a conformity mark, or a certificate of conformity referred to in Article 60 paragraph (4) will be issued by a conformity assessment agency that is accredited by an accreditation institution under the prevailing laws and regulations.</p> <p>(2) If no conformity assessment agency referred to in paragraph (1) is accredited, the Minister or the minister with the relevant duties and responsibilities may appoint a conformity assessment institution subject to certain conditions and for a certain period.</p> <p>(3) A conformity assessment body referred to in paragraph (1) and paragraph (2) must be registered with an institution determined by the Minister.</p>	<p>(1) The SNI mark, conformity mark, or certificate of conformity referred to in Article 60 paragraph (4) will be issued by a conformity assessment agency that is accredited by an accreditation institution under the prevailing laws and regulations.</p> <p>(2) If no conformity assessment agency referred to in paragraph (1) is accredited, the <u>Central Government</u> may appoint an <u>assessment institution</u> subject to certain conditions and for a certain period.</p> <p>(3) The conformity assessment agency referred to in paragraph (1) and paragraph (2) must be registered with an institution determined by the <u>Central Government</u>.</p>
Article 63	Article 63
Any service provider selling services without the certificate of conformity documented referred to in Article 60 paragraph (4) will be given an administrative sanction of the cessation of his/her selling services.	Any service provider selling services without the certificate of conformity documented referred to in Article 60 paragraph (4) will be given an <u>administrative sanction</u> .
Article 65	Article 65
<p>(1) Any business operator selling goods and/or services through an electronic system must make available complete and true data and/or information.</p> <p>(2) Business operators are prohibited from selling goods and/or services through an electronic system other than in accordance with the data and/or information referred to in paragraph (1).</p> <p>(3) The use of an electronic system referred to in paragraph (1) must comply with the provisions of the Law on Electronic</p>	<p>(1) Any business operator selling goods and/or services through an electronic system must make available complete and true data and/or information.</p> <p>(2) Business operators are prohibited from selling goods and/or services through an electronic system other than in accordance with the data and/or information referred to in paragraph (1).</p> <p>(3) The use of an electronic system referred to in paragraph (1) must</p>

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<p>Information and Transactions.</p> <p>(4) The data and/or information referred to in paragraph (1) must include at least:</p> <ol style="list-style-type: none"> a. the identity and legality of the business operator as a producer or distribution business operator; b. the technical requirements of the goods offered; c. the technical requirements or qualifications of the services offered; d. the prices and method of payment for the goods and/or services; and e. the method of delivery of the goods. <p>(5) In the event a dispute arises out of a trading transaction through an electronic system, an individual or entity involved in the dispute may resolve the dispute in court or through other dispute resolution mechanisms.</p> <p>(6) Any business operator selling goods and/or services through an electronic system that fails to make available the complete and/or true data and/or information referred to in paragraph (1) will be given an administrative sanction of the revocation of the license.</p>	<p>comply with the provisions of the Law on Electronic Information and Transactions.</p> <p>(4) The data and/or information referred to in paragraph (1) must include at least:</p> <ol style="list-style-type: none"> a. the identity and legality of the business operator as the producer or the distribution business operator; b. the technical requirements of the goods offered; c. the technical requirements or qualifications of Services offered; d. the prices and method of payment for the goods and/or services; and e. the method of delivery of the goods. <p>(5) In the event a dispute arises out of a trading transaction through an electronic system, an individual or entity involved in the dispute may resolve the dispute in court or through other dispute resolution mechanisms.</p> <p>(6) Any Business Operator selling goods and/or services through an electronic system that fails to make available the complete and/or true data and/or information referred to in paragraph (1) will be given an <u>administrative sanction</u>.</p>
Article 74	Article 74
<p>(1) The Government will guide business operators to develop exports of domestic goods and services to expand access to markets.</p> <p>(2) The guidance referred to in paragraph (1) may be provided through the provision of incentives, facilities, information about market opportunities, technical direction, and promotion support and marketing to develop exports.</p>	<p>(1) The <u>Central</u> Government will guide business operators to develop exports of domestic goods and services to expand access to markets.</p> <p>(2) The guidance referred to in paragraph (1) may be provided through the provision of incentives, facilities, information on Market opportunities, technical direction, and promotion support and marketing to develop exports.</p>

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<p>(3) The Minister may recommend the incentives referred to in paragraph (2) through fiscal and/or nonfiscal incentives in an effort to enhance the competitiveness of exports of domestic goods and/or services.</p> <p>(4) The Government may, for the guidance referred to in paragraph (1), cooperate with other parties.</p> <p>(5) Further provisions on the guidance referred to in paragraph (1) will be issued in a Regulation of the Minister.</p>	<p>(3) The Minister may recommend the incentives referred to in paragraph (2) through fiscal and/or nonfiscal incentives in an effort to enhance the competitiveness of export of domestic goods and/or services.</p> <p>(4) The <u>Central</u> Government may, for the guidance referred to in paragraph (1), cooperate with other parties.</p> <p>(5) Further provisions on the guidance referred to in paragraph (1) will be issued in a <u>Government Regulation</u>.</p>
Article 77	Article 77
<p>(1) Any business operator that hosts a trade fair and any trade fair participants must comply with the standards for hosting and participating in a trade fair.</p> <p>(2) Any business operator hosting a trade fair involving foreign participants and/or foreign promoted products must obtain a license from the Minister.</p> <p>(3) Further provisions on the standards for hosting and participating in a trade fair referred to in paragraph (1) will be issued in a Regulation of the Minister.</p> <p>(4) Any business operator that hosts a trade fair and any trade fair participants that fail to comply with the standards for hosting and participating in a trade fair referred to in paragraph (1) will be given an administrative sanction of the cessation of activities.</p>	<p>(1) Any business operator that hosts a trade fair and any trade fair participants must <u>have a Business Licensing</u>.</p> <p>(2) Any business operator that hosts a trade fair involving foreign participants and/or foreign promoted products must obtain <u>approval from the Central Government</u>.</p> <p>(3) <u>Any business operator hosting a trade fair and any trade fair participants that fail to comply with the Business Licensing requirement referred to in paragraph (1) will be given an administrative sanction.</u></p> <p>(4) <u>Further provisions on the license required referred to in paragraph (1) will be issued in a Government Regulation.</u></p>
	Article 77A
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	<p><u>Article 37 paragraph (2), Article 43 paragraph (2), Article 46 paragraph (2), Article 52 paragraph (3), Article 57 paragraph (7), Article 60 paragraph (6), Article 63, Article 65 paragraph (6), or Article 77 paragraph (3) can be in the form of:</u></p> <ol style="list-style-type: none"> a. <u>a written warning;</u> b. <u>the withdrawal of goods from distribution;</u> c. <u>a temporary suspension of business activities;</u> d. <u>the closure of the warehouse;</u> e. <u>a fine; and / or</u> f. <u>the revocation of the Business License.</u> <p><u>(2) Further provisions on the criteria, types, amounts of fines, and procedures for the imposition of the administrative sanctions referred to in paragraph (1) will be issued in a Government Regulation.</u></p>
<p style="text-align: center;">Article 81</p> <p>Further provisions on the procedures for conducting, providing of easy access to, and participating in trade promotions for the purpose of Indonesia's image-building will be issued in a Regulation of the Minister.</p>	<p style="text-align: center;">Article 81</p> <p>Further provisions on the procedures for conducting, providing easy access to, and participating in trade promotions in the purpose of Indonesia's image-building will be issued in a <u>Government Regulation</u>.</p>
<p style="text-align: center;">Article 98</p> <p>(1) The Government and Regional Governments will have the authority to supervise trading activities.</p> <p>(2) For the performance of the supervisory duties referred to in paragraph (1) the Government will issue trading supervision policies.</p>	<p style="text-align: center;">Article 98</p> <p>(1) The <u>Central</u> Government and the Regional Governments will have the authority to supervise trading activities.</p> <p>(2) <u>The supervision referred to in paragraph (1) will be conducted in accordance with the norms, standards, procedures and criteria provided in a Government Regulation.</u></p>
<p style="text-align: center;">Article 99</p> <p>(1) The supervision by the Government referred to in Article 98 will be conducted by the Minister.</p> <p>(2) The Minister in the performance of the supervisory duties referred to in</p>	<p style="text-align: center;">Article 99</p> <p>(1) The Central Government and Regional Governments according to their respective authorities in conducting the supervision referred to in Article 98 paragraph (1) have the authority to:</p>

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<p>paragraph (1) will have the authority to:</p> <ol style="list-style-type: none"> a. prohibit from circulating temporarily and/or order to recall goods from distribution or cease service activities sold other than in accordance with the trading laws and regulations; and/or b. revoke the Trading License. 	<ol style="list-style-type: none"> a. prohibit from circulating temporarily and/or order to recall goods from distribution or cease Service activities sold other than in accordance with the trading laws and regulations; and/or b. revoke the <u>Business Licensing</u>.
Article 100	Article 100
<ol style="list-style-type: none"> (1) For the performance of the supervisory duties referred to in Article 99 paragraph (1), the Minister will appoint officials in the trading sector. (2) Trade Supervisory Officials must, in the performance of their supervisory duties, have an authorized and valid letter of assignment. (3) The Trade Supervisory Officials referred to in paragraph (2) must, in exercising their authority, supervise at least: <ol style="list-style-type: none"> a. trade licensing; b. trading in goods subject to supervision, prohibition, and/or regulation; c. the distribution of goods and/or services; d. the registration of domestic goods and imported goods for security, safety, health, and the environment; e. mandatory SNIs, technical requirements and qualifications; f. the registration of warehouses; and g. the storage of basic goods and/or essential goods. (4) Upon finding a suspected trading violation, the Trade Supervisory Officials referred to in paragraph (3) may: <ol style="list-style-type: none"> a. recommend the recall of the goods from distribution and/or the 	<ol style="list-style-type: none"> (1) For the performance of the supervisory duties referred to in Article 99 paragraph (1), the <u>Central Government</u> will appoint officials in the trading sector. (2) Trade Supervisory Officials must, in the performance of their supervisory duties, have an authorized and valid letter of assignment. (3) The Trade Supervisory Officials referred to in paragraph (1) must, in exercising their authority, supervise at least: <ol style="list-style-type: none"> a. <u>Business Licensing</u> in the trade sector; b. trading in goods subject to supervision, prohibition, and/or regulation; c. the distribution of goods and/or services; d. the registration of domestic goods and imported goods for security, safety, health, and the environment; e. mandatory SNIs, technical requirements and qualifications; f. the registration of warehouses; and g. the storage of basic goods and/or essential goods. (4) Upon finding a suspected trading violation, the Trade Supervisory Officials referred to in paragraph (3) may: <ol style="list-style-type: none"> a. recommend the recall of the goods from distribution and/or the

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<p>destruction of the goods;</p> <p>b. recommend the cessation of the trading activities; or</p> <p>c. recommend the revocation of the Trading License.</p> <p>(5) If in the performance of their supervisory duties referred to in paragraph (3), Trade Supervisory Officials find preliminary evidence of a suspected criminal trading offense, the officials will report it to investigators for further action.</p> <p>(6) The Trade Supervisory Officials referred to in paragraph (1) may, in exercising their authority, coordinate with the relevant agencies.</p>	<p>destruction of the goods;</p> <p>b. recommend the cessation of the trading activities; or</p> <p>c. recommend the revocation of the <u>Business Licensing for the trading sector.</u></p> <p>(5) If in the performance of supervisory duties referred to in paragraph (3), Trade Supervisory Officials find preliminary evidence of a suspected criminal trading offense, the officials will report it to investigators for further action.</p> <p>(6) The Trade Supervisory Officials referred to in paragraph (1) may, in exercising their authority, coordinate with the relevant agencies.</p>
Article 102	Article 102
Further provisions on the supervision of trading and the supervision of goods confirmed as goods subject to supervision will be issued in a Regulation of the Minister.	Further provisions on the supervision of trading and the supervision of goods confirmed as goods subject to supervision will be issued in a <u>Government Regulation.</u>
Article 104	Article 104
Any business operator that fails to use or to affix an Indonesian-language label to the goods traded domestically referred to in Article 6 paragraph (1) will be sentenced to prison for up to 5(five) years and/or fined up to Rp5,000,000,000 (five billion Rupiah).	<p>(1) Any business operator that fails to use or to affix an Indonesian-language label to the goods traded domestically referred to in Article 6 paragraph (1) will be sentenced to prison fr up to 5 (five) years and/or fined up to <u>Rp10,000,000,000 (ten billion Rupiah).</u></p> <p>(2) <u>The provisions of paragraph (1) do not apply to the imposition of criminal sanctions referred to in paragraph (1) for violations committed by business actors and / or in low or medium risk activities.</u></p> <p>(3) <u>The business actors and / or low or medium risk activities referred to in paragraph (2) will be subject to the sanctions referred to in Article 77A paragraph (1).</u></p>

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Article 106	Article 106
Any business operator that engages in a trading business without the Trade License issued by the Minister referred to in Article 24 paragraph (1) will be sentenced to prison for up to 4 (four) years or fined up to Rp10,000,000,000 (ten billion Rupiah).	(1) Any business operator that engages in a trading business without the Trade License issued by the Minister referred to in Article 24 paragraph (1) will be sentenced to prison for up to 4 (four) years or fined up to Rp10,000,000,000 (ten billion Rupiah). (2) <u>Excluded from the imposition of the criminal sanctions referred to in paragraph (1) are violations committed by business actors and / or in low or medium risk activities.</u> (3) <u>The business actors and / or low or medium risk activities referred to in paragraph (2) will be subject to the sanctions referred to in Article 77A paragraph (1).</u>
Article 109	Article 109
Any producer or importer that trades in goods related to security, safety, health, or the environment, without the registration with the Minister referred to in Article 32 paragraph (1) point (a) will be sentenced to prison for up to 1 (one) year and/or fined up to Rp5,000,000,000 (five billion Rupiah).	Any producer or importer that trades in goods related to security, safety, health, or the environment, without the registration with the <u>Central Government</u> referred to in Article 32 paragraph (1) <u>which results in victims / harm to security, safety, health and / or the environment</u> will be sentenced to prison for up to 1 (one) year and/or fined up to Rp5,000,000,000 (five billion Rupiah).
Article 116	Article 116
Any business operator that hosts a trade fair involving foreign participants and/or foreign promoted products without the license from the Minister referred to in Article 77 paragraph (2) will be sentenced to prison for up to 3 (three) years and/or fined up to Rp5,000,000,000 (five billion Rupiah).	Any business operator that hosts a trade fair involving foreign participants and/or foreign promoted products without the <u>Business Licensing</u> from the <u>Central Government</u> referred to in Article 77 paragraph (2) will be sentenced to prison for up to 3 (three) years and/or fined up to Rp5,000,000,000 (five billion Rupiah).

I. Law No. 2 of 2017 on Construction Services (“Construction Law”)

The Construction Law	Article 52 of The Job Creation Law
Article 5	Article 5
(1) In order to achieve the purpose referred to in Article 4 paragraph (1) a, the Central	(1) In order to achieve the purpose referred to in Article 4 paragraph (1) a.,

The Construction Law	Article 52 of The Job Creation Law
<p>Government has the authority to:</p> <ul style="list-style-type: none"> a. develop the structure of the Construction Services business; b. develop the system requirements of the Construction Services business; c. manage the registration of Construction Services businesses; d. manage the accreditation of associations of Construction Services businesses and associations related to the supply chain of construction services; e. manage the issuance of licenses to institutions that will be conducting the certification of business entities; f. develop the supply chain systems of construction services; g. develop the system of the capitalization and guaranteeing of construction services businesses; h. provide support and protection for national Construction Services businesses for accessing international construction services markets; i. develop orderly surveillance systems for construction services businesses; j. manage the issuance of foreign representative office licenses and Business Licenses in the framework of foreign investment; k. manage the supervision of foreign construction services businesses and large-scale construction services businesses; l. manage the development of the services provided in the Construction Services Business; m. compile and develop information systems related to the construction services market in countries with a potential for national construction services business players; 	<p>the Central Government has the authority to:</p> <ul style="list-style-type: none"> a. develop the structure of the Construction Services Business; b. develop the system requirements for the Construction Services Business; c. manage <u>business licensing in the context of</u> the registration of construction services businesses; d. manage <u>business licensing in the context of</u> construction services; e. manage the issuance of licenses to institutions that will be conducting the certification of business entities; f. develop supply construction services chain systems; g. develop the system of the capitalization and guaranteeing of construction services businesses; h. provide support and protection for national construction services businesses in accessing the international construction services markets; i. develop orderly surveillance systems for construction services businesses; j. manage the issuance of <u>Business Licensing</u> in the framework of foreign investment; k. manage the supervision of foreign construction services and large-scale construction services businesses; l. manage the development of the services provided in the Construction Services Business; m. compile and develop information systems related to the construction services market in countries with a potential for national construction services

The Construction Law	Article 52 of The Job Creation Law
<ul style="list-style-type: none"> n. develop a system of partnerships between national and international construction services businesses; o. guarantee good and healthy competition in the market for construction services; p. develop national construction services market segmentation; q. provide legal protection for national construction services providers that access the international construction services market; and r. manage the registration experience of business entities. 	<ul style="list-style-type: none"> business players; n. develop a system of partnership between national and international construction services businesses; o. guarantee good and healthy competition in the market for construction services; p. develop national construction services market segmentation; q. provide legal protection for national construction services providers to access international construction services markets; and r. manage the registration of the experience of business entities.
<p>(2) To achieve the purpose referred to in Article 4 paragraph (1) b., the central government has the authority to:</p> <ul style="list-style-type: none"> a. develop the system for the selection of service providers in the provision of construction services; b. develop a Construction Work Contract which guarantees equality of rights and obligations between service users and service providers; c. support the use of out of court alternative dispute resolution methods in the provision of construction services; and d. develop a system for the performance of services providers in the provision of construction services. 	<p>(2) To achieve the purpose referred to in Article 4 paragraph (1) b., the central government has the authority to:</p> <ul style="list-style-type: none"> a. develop the system for the selection of in the provision of construction services; b. develop a Construction Work Contract which guarantees equality of rights and obligations between service users and service providers; c. support the use of out of court alternative dispute resolution methods in the provision of construction services; and d. develop a system for the performance of services providers in the provision of construction services.
<p>(3) In order to achieve the purpose referred to in Article 4 paragraph (1) c., the central government has the authority to:</p> <ul style="list-style-type: none"> a. develop the security, safety, health, and sustainability standards in the provision of construction services; b. conduct the monitoring of the security, safety, health, and sustainability standards in the provision and utilization of 	<p>(3) In order to achieve the purpose referred to in Article 4 paragraph (1) c., the central government has the authority to:</p> <ul style="list-style-type: none"> a. develop the security, safety, health, and sustainability standards in the provision of Construction Services; b. conduct the monitoring of the security, safety, health, and sustainability standards in the provision and utilization of

The Construction Law	Article 52 of The Job Creation Law
<p>construction services by construction services business entities.</p> <p>c. manage the registration of appraisal experts; and</p> <p>d. appoint a registered appraisal expert in the event of the failure of a building.</p>	<p>construction services by construction services business entities.</p> <p>c. manage the registration of appraisal experts; and</p> <p>d. appoint a registered appraisal expert in the event of the failure of a building.</p>
<p>(4) In order to achieve the purpose referred to in Article 4 paragraph (1) d., the central government has the authority to:</p> <p>a. develop the construction services professional competence and training standards;</p> <p>b. empower national educational and professional construction training institutions;</p> <p>c. provide strategic construction workforce training and demonstrations;</p> <p>d. develop a construction manpower competence certification system;</p> <p>e. set minimum remuneration standards for construction workers;</p> <p>f. conduct a monitoring system for the certification, training, and minimum remuneration standards of construction workers;</p> <p>g. manage the accreditation of professional associations and licensing of professional certification agencies;</p> <p>h. manage the registration of construction workers;</p> <p>i. manage the registration of the experience of professional construction workers, as well as educational and professional training institutions in the field of construction;</p> <p>j. manage the acknowledgment of foreign construction workers; and</p> <p>k. establish a professional certification institution to conduct the competence certification which</p>	<p>(4) In order to achieve the purpose referred to in Article 4 paragraph (1) d., the central government has the authority to:</p> <p>a. develop the construction services professional competence and training standards;</p> <p>b. empower national construction educational and professional training institutions;</p> <p>c. provide strategic construction workforce training and demonstrations;</p> <p>d. develop a construction manpower competency certification system;</p> <p>e. set minimum remuneration standards for construction workers;</p> <p>f. conduct a monitoring system for the certification, training, and minimum remuneration standards of construction workers;</p> <p>g. manage the accreditation of professional associations and licensing of professional certification agencies;</p> <p>h. managing the registration of construction workers;</p> <p>i. managing the registration of the experience of professional construction workers, as well as the educational and professional training institutions in the field of construction;</p> <p>j. manage the acknowledgment of foreign construction workers; and</p> <p>k. establish a professional certification institution to conduct the competence certification</p>

The Construction Law	Article 52 of The Job Creation Law
<p>has not yet been able to be conducted by certification institutions established by professional associations or educational and training institutions.</p>	<p>which has not yet been able to be conducted by certification institutions established by professional associations or educational and training institutions.</p>
<p>(5) In order to achieve the purpose referred to in Article 4 paragraph (1) e., the central government has the authority to:</p> <ul style="list-style-type: none"> a. develop the construction materials and equipment and construction technology innovation standards; b. develop cooperation schemes between research and development institutions and all construction services stakeholders; c. establish the development of priority technology; d. publicize domestic construction materials and equipment, and construction technology to all stakeholders, both nationally and internationally; e. establish and improve the use of materials and equipment quality standards in accordance with the Indonesian National Standards; g. protect the intellectual property of construction materials and equipment, and construction technology research and development in the country; and h. form supply chain systems for construction materials, equipment and technology. 	<p>(5) In order to achieve the purpose referred to in Article 4 paragraph (1) e., the central government has the authority to:</p> <ul style="list-style-type: none"> a. develop the construction materials and equipment and construction technology innovation standards; b. develop cooperation schemes between research and development institutions and all construction services stakeholders; c. establish the development of priority technology; d. publicize local construction materials and equipment, and construction technology to all stakeholders, both nationally and internationally; f. establish and improve the use of materials and equipment quality standards in accordance with the Indonesian National Standards; g. protect the intellectual property of the construction materials and equipment, and construction technology research and development in the country; and h. form the supply chain systems for construction materials, equipment, and technology.
<p>(6) To achieve the objectives referred to in Article 4 paragraph (1) f., the central government has the authority to:</p> <ul style="list-style-type: none"> a. improve the quality of community participation and responsibility in supervising the provision of construction services; b. increase the capacity of construction services institutions; c. facilitate the establishment of a 	<p>(6) To achieve the objectives referred to in Article 4 paragraph (1) f., the central government has the authority to:</p> <ul style="list-style-type: none"> a. improve the quality of community participation and responsibility in supervising the provision of construction services; b. increase the capacity of construction services institutions; c. facilitate the establishment of a

The Construction Law	Article 52 of The Job Creation Law
<p>construction services forum as a medium for the aspirations of the construction services community;</p> <p>d. provide financial support for professional competence certification; and</p> <p>e. improve the quality of community participation and responsibility in the provision of construction services business.</p> <p>(7) The financial support referred to in paragraph (6) d., is to be provided while taking into account the financial capacity of the state.</p> <p>(8) To achieve the purpose referred to in Article 4 paragraph (1) g., the Central Government has the authority to:</p> <p>a. develop a national construction services the information system of; and</p> <p>b. collect data and information about national and international construction services.</p>	<p>Construction Services forum as a medium for the aspirations of the Construction Services community;</p> <p>d. provide financial support for the implementation of Professional Competence Certification; and</p> <p>e. improve the quality of community participation and responsibility in the Construction Business.</p> <p>(7) The financial support referred to in paragraph (6) d., is to be provided while taking into account the financial capacity of the state.</p> <p>(8) To achieve the purpose referred to in Article 4 paragraph (1) g., the Central Government has the authority to:</p> <p>a. develop the national construction services information system; and</p> <p>b. collect data and information about national and international construction services.</p>
Article 6	Article 6
<p>(1) In order to achieve the purpose referred to in Article 4 paragraph (1) a., governors as representatives of the Central Government in the regions have the authority to:</p> <p>a. empower Construction Services business entities;</p> <p>b. manage the supervision of the national Business License issuance process;</p> <p>c. orderly manage the supervision of construction services businesses in the provinces;</p> <p>d. manage the supervision of construction supply chain systems in the provinces; and</p> <p>e. facilitate partnerships between construction services business entities in their provinces and</p>	<p>(1) In order to achieve the purpose referred to in Article 4 paragraph (1) a., governors as the representatives of the <u>Central government in the regions according to the norms, standards, procedures, and criteria determined by</u> the Central Government in the regions have the authority to:</p> <p>a. empower construction services business entities;</p> <p>b. manage the supervision of the <u>Business Licensing</u> issuance process;</p> <p>c. orderly manage the supervision of construction services businesses in the provinces;</p> <p>d. manage the supervision of the construction supply chain systems in the provinces; and</p> <p>e. facilitate partnerships between construction services business entities in their provinces and</p>

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<p>business entities outside their provinces.</p> <p>(2) To achieve the purpose referred to in Article 4 paragraph (1) b., governors as the representatives of the Central Government in the regions have the authority to:</p> <ul style="list-style-type: none"> a. manage the selection of Service Providers for the provision of Construction Services; b. manage the supervision of Construction Work Contracts; and c. orderly manage the supervision of the provision and utilization of construction services in the provinces. <p>(3) In order to achieve the purpose referred to in Article 4 paragraph (1) c., Governors as representatives of the central government in the regions have the authority to manage the supervision of the application of security, safety, health, and sustainability standards in the provision and utilization of construction services by small and medium-scale construction services business entities.</p> <p>(4) In order to achieve the purpose referred to in Article 4 paragraph (1) d., governors as the representatives of the Central Government in the regions have the authority to implement the supervision of the following:</p> <ul style="list-style-type: none"> a. the professional competence certification system; b. the training of construction workers; and c. the wages of construction workers. 	<p>business entities outside their provinces.</p> <p>(2) To achieve the purpose referred to in Article 4 paragraph (1) b., governors as the representatives of the Central Government in the regions <u>according to the norms, standards, procedures and criteria determined by the Central Government</u> have the authority to:</p> <ul style="list-style-type: none"> a. manage the selection of service providers for the provision of construction services; b. manage the supervision of Construction Work Contracts; and c. orderly manage the supervision of the provision and utilization of construction services in the provinces. <p>(3) In order to achieve the purpose referred to in Article 4 paragraph (1) c., Governors as representatives of the central government in the regions <u>according to the norms, standards, procedures and criteria determined by the Central Government</u> have the authority to manage the supervision of the application of security, safety, health, and sustainability standards in the provision and utilization of construction services by small and medium-scale construction services business entities.</p> <p>(4) In order to achieve the purpose referred to in Article 4 paragraph (1) d., governors as the representatives of the Central Government in the regions <u>according to the norms, standards, procedures and criteria determined by the Central Government</u> have the authority to implement the supervision of the following:</p> <ul style="list-style-type: none"> a. the professional competence certification system; b. the training of construction workers; and c. the wages of construction

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<p>(5) In order to achieve the purpose referred to in Article 4 paragraph (1) e., governors as the representatives of the Central Government in the regions have the authority to:</p> <ul style="list-style-type: none"> a. manage the supervision of the use of materials, equipment, and construction technologies; b. facilitate cooperation between Construction Services research and development institutions and all stakeholders; c. facilitate the development of technology priorities; d. manage the supervision of the management and utilization of the sources of construction materials; and e. improve quality standards for using materials and equipment according to the Indonesian National Standards. <p>(6) To achieve the objectives referred to in Article 4 paragraph (1) f., as representatives of the Central Government in the regions governors have the authority to:</p> <ul style="list-style-type: none"> a. improve the capacity of provincial construction services institutional communities; b. improve the quality of construction services communities' participation and responsibility for the supervision of the implementation of the Construction Services Business; and c. improve the quality of construction services communities' participation in and responsibility for the Construction Business. 	<p>workers.</p> <p>(5) In order to achieve the purpose referred to in Article 4 paragraph (1) e., governors as the representatives of the Central Government in the regions <u>according to the norms, standards, procedures and criteria determined by the Central Government</u> have the authority to:</p> <ul style="list-style-type: none"> a. manage the supervision of the use of materials, equipment, and construction technologies; b. facilitate cooperation between construction services research and development institutions and all stakeholders; c. facilitate the development of technology priorities; d. manage the supervision of the management and utilization of the sources of construction materials; and e. improve quality standard in using materials and equipment in accordance with the Indonesian National Standards. <p>(6) To achieve the objectives referred to in Article 4 paragraph (1) f., as representatives of the Central Government in the <u>regions according to the norms, standards, procedures and criteria determined by the Central Government</u> have the authority:</p> <ul style="list-style-type: none"> a. strengthening the capacity of provincial construction services institutional communities; b. improve the quality of Construction Services communities' participation in and responsibility for the supervision of the implementation of the Construction Services Business; and c. improve the quality of Construction Services communities' participation in and responsibility for the Construction Business.

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(7) In order to achieve the purpose referred to in Article 4 paragraph (1) g., governors as the representatives of the Central Government in the regions have the authority to collect data and information about construction services in the provinces.	(7) In order to achieve the purpose referred to in Article 4 paragraph (1) g., governors as the representatives of the Central Government in the regions have the authority to collect data and information about construction services in the provinces.
Article 7	Article 7
The authority of Regional Governments regarding other Construction Services matters includes to: a. provide training to construction experts; and b. manage the construction services information systems in the provinces.	The authority of Regional Governments in the provinces <u>according to the norms, standards, procedures and criteria determined by the Central Government</u> for other Construction Services matters includes to: a. provide training to construction experts; and b. manage the construction services information systems in the provinces.
Article 8	Article 8
The authority of Regional Governments at district/municipal level for other construction services matters includes: a. provide training to skilled construction experts; and b. manage the construction services information systems in the districts/municipalities; c. issue national Business Licenses for small, medium, and large-scale businesses; and d. orderly supervise the provision and utilization of construction services businesses.	The authority of Regional Governments in the districts/ municipalities <u>according to the norms, standards, procedures and criteria determined by the Central Government</u> for other Construction Services matters includes to: a. provide trainings to skilled construction experts; and b. manage the construction services information systems in the districts/ municipalities. c. issue national Business License for small, medium, and large-scale businesses; and d. orderly supervise the provision and utilization of construction services businesses.
Article 9	Article 9
In exercising the authority referred to in Article 5 to Article 8, the Central Government and Regional Governments may involve the construction services community.	In exercising the authority referred to in Article 5 to Article 8, the Central Government and/or Regional Governments <u>according to the norms, standards, procedures and criteria determined by the Central Government</u> may involve the Construction Services community.
Article 10	Article 10
Further provisions on the responsibilities and	Further provisions on the responsibilities

The Construction Law	Article 52 of The Job Creation Law
authority referred to in Article 4 to Article 9, will be issued in a Government Regulation.	and authority <u>as well as Business Licensing</u> referred to in Article 4 to Article 9, will be issued in a Government Regulation.
Article 20	Article 20
<p>(1) The business scales of business entities referred to in Article 19, include the following:</p> <ol style="list-style-type: none"> a. small; b. medium; and c. large. <p>(2) The determination of the business scale referred to in paragraph (1) will be conducted through an evaluation of:</p> <ol style="list-style-type: none"> a. the annual sales; b. the financial capacity; c. the availability of construction workers; and d. the ability to provide construction equipment. <p>(3) The business scales referred to in paragraph (1) determine the limits of the capacity of the business and the market segment of the construction services business.</p> <p>(4) Further provisions on the determination of the business scales referred to in paragraph (2) will be issued in a Ministerial Regulation.</p>	<p>(1) The business scales of business entities referred to in Article 19, include the following:</p> <ol style="list-style-type: none"> a. small; b. medium; and c. large. <p>(2) The determination of the business scales referred to in paragraph (1) will be implemented through an evaluation of:</p> <ol style="list-style-type: none"> a. the annual sales; b. the financial capacity; c. the availability of construction workers; and d. the ability to provide construction equipment. <p>(3) The business scales referred to in paragraph (1) determine the limits of the capacity of business and the market segmentation of the construction services business.</p> <p>(4) Further provisions on the determination of the business scales referred to in paragraph (2) will be issued in a <u>Government Regulation</u>.</p>
Article 26	Article 26
<p>(1) Every individual entity referred to in Article 19, which will provide construction services is required to have an Individual Registration Certificate.</p> <p>(2) Every construction services business entity referred to in Article 19, which will provide construction services, is required to have a Business License.</p>	<p>(1) Every <u>individual and construction service business</u> entity referred to in Article 19, which will provide construction services, is required to have a <u>Business Licensing</u>.</p> <p>(2) <u>Further provisions on the Business Licensing</u> referred to in <u>paragraph (1)</u> will be issued in a <u>Government Regulation</u>.</p>
Article 27	Article 27
The Individual Registration Certificate referred to in Article 26 paragraph (1) will be issued by the Regional Government in the	<u>The Business Licensing</u> referred to in Article 26 paragraph (1) will be issued by Regional Governments in the districts/ municipalities

The Construction Law	Article 52 of The Job Creation Law
district/municipality to individual entities domiciled its region, in accordance with the prevailing laws and regulations.	<u>according to the norms, standards, procedures and criteria determined by the Central Government</u> to individual entities domiciled in their region, in accordance with the prevailing laws and regulations.
Article 28	Article 28
The Business License referred to in Article 26 paragraph (2), will be issued by the Regional Government in the district/municipality to business entities domiciled its region, in accordance with the prevailing laws and regulations.	<u>The Business Licensing</u> referred to in Article 26 paragraph (2), will be issued by the Regional Government in the district/municipality <u>according to the norms, standards, procedures and criteria determined by the Central Government</u> to business entities domiciled in its region, in accordance with the prevailing laws and regulations.
Article 29	Article 29
<p>(1) A Business License and Individual Registration Certificate is valid for engaging in construction services business activities in all the territory of the Republic of Indonesia.</p> <p>(2) The Regional Government in the district/municipality referred to in Article 27 and Article 28 will issue the regional regulations on Business Licenses and Individual Registration Certificates.</p>	<p>(1) <u>A Business Licensing</u> and Individual Registration Certificate is valid for engaging in construction services business activities in all the territory of the Republic of Indonesia.</p> <p>(2) The Regional Government in the district/ municipality <u>according to the norms, standards, procedures and criteria determined by the Central Government</u> referred to in Article 27 and Article 28 will issue the regional regulations on <u>Business Licensing</u>.</p>
Article 30	Article 30
<p>(1) Every business entity providing construction services is required to have a Business Entity Certificate.</p> <p>(2) The Business Entity Certificate referred to in paragraph (1) will be issued through a certification and registration process by the Minister.</p> <p>(3) The Business Entity Certificate referred to in paragraph (1) must contain at least the following:</p> <ol style="list-style-type: none"> the type of business; the categorization of the business; the scale of the business; and the qualifications of the business. 	<p>(1) Every business entity providing construction services is required to have a Business Entity Certificate.</p> <p>(2) The Business Entity Certificate referred to in paragraph (1) will be issued through a certification and registration process by the <u>Central Government</u>.</p> <p>(3) <u>Further provisions on the certification and registration of business entities referred to in paragraph (2) will be issued in a Government Regulation.</u></p>

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Article 31	<u>Deleted.</u>
<p>(1) To obtain recognition of business experience, all medium and large -scale construction services business entities, are required to register their experience with the Minister.</p> <p>(2) Registering the experience referred to in paragraph (1) must be evidenced by an Experience Registration Certificate.</p> <p>(3) The Experience Registration Certificate referred to in paragraph (2) must contain at least the following:</p> <ol style="list-style-type: none"> a. the name of the project; b. the Services User; c. the year of the implementation of the project; d. the value of the project; and e. the performance of the service provider. <p>(4) The experience that is registered in the Experience Registration Certificate referred to in paragraph (3) is experience in providing construction services completed through to the handover process.</p> <p>(5) Further provisions on the registration of experience referred to in paragraph (1), will be issued under a Ministerial Regulation.</p>	
Article 33	Article 33
<p>(1) The representative office referred to in Article 32 a., must:</p> <ol style="list-style-type: none"> a. be a business entity with qualifications equivalent to large-scale qualifications; b. hold a foreign construction services representative license; c. form joint a operation with a large-scale national construction services business entity which holds a Business License for all construction services business activities in Indonesia; d. hire more Indonesian workers than foreign workers; 	<p>(1) The representative office referred to in Article 32 a., must:</p> <ol style="list-style-type: none"> a. be a business entity with qualifications that are equivalent to large-scale qualifications; b. <u>have a Business Licensing;</u> c. form a joint operation with large-scale national Construction Services business entity which <u>has a Business Licensing;</u> d. hire more Indonesian workers than foreign workers;

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<p>e. place an Indonesian citizen as the head of the representative office;</p> <p>f. prioritize the use of local materials and construction technology;</p> <p>g. be high-tech., cutting-edge, efficient, environmentally friendly, and pay heed to local wisdom.</p> <p>h. implement the transfer of technology; and</p> <p>i. perform its other obligations under the prevailing laws and regulations.</p> <p>(2) The representative office license referred to in paragraph (1) b., will be issued by the Minister according to the prevailing laws and regulations.</p> <p>(3) The joint operation referred to in paragraph (1) c., is to be conducted according to the principle of equivalence of qualifications, similarity of services and joint liability.</p>	<p>e. place an Indonesian citizen as the head of the representative office;</p> <p>f. prioritize the use of local materials and construction technology;</p> <p>g. be high-tech., cutting-edge, efficient, environmentally friendly, and pay heed to local wisdom.</p> <p>h. implement the transfer of technology; and</p> <p>i. perform its other obligations under the prevailing laws and regulations.</p> <p>(2) The <u>Business Licensing</u> referred to in paragraph (1) b., will be issued by the <u>Central Government</u> in accordance with the prevailing laws and regulations.</p> <p>(3) The joint operation referred to in paragraph (1) c., is to be conducted according to the principle of equivalence of qualifications, similarity of services and to joint liability.</p>
Article 34	Article 34
<p>(1) The provisions on joint ventures of Article 32 b. are to be followed according to the prevailing laws and regulations.</p> <p>(2) The construction services business entity established in the framework of a joint venture referred to in Article 32 b. must satisfy the requirements for a large-scale qualification referred to in Article 20 paragraph (1) c.</p> <p>(3) The construction services business entity established in the framework of a joint venture referred to in paragraph (2) is required to hold a Business License.</p> <p>(4) The Business Licenses referred to in paragraph (3), will be issued by the Minister according to the prevailing laws</p>	<p>(1) The provisions on joint ventures of Article 32 b. are to be followed according to the prevailing laws and regulations.</p> <p>(2) The construction services business entity established in the framework of a joint venture referred to in Article 32 b. must satisfy the requirements for a large-scale qualification referred to in Article 20 paragraph (1) c.</p> <p>(3) The construction services business entity established in the framework of a joint venture referred to in paragraph (2) is required to <u>have a Business Licensing</u>.</p> <p>(4) The <u>Business Licensing</u> referred to in paragraph (3), will be issued by the Minister in accordance with the</p>

The Construction Law	Article 52 of The Job Creation Law
and regulations.	prevailing laws and regulations.
Article 35	Article 35
Further provisions on issuing representative office licenses, the procedures for a joint operation, and the use of more Indonesian workers referred to in Article 33 paragraph (1) b., c., and d., and issuing Business Licenses referred to in Article 34 paragraph (4), will be provided in a Ministerial Regulation.	Further provisions on issuing <u>Business Licensing</u> , the procedures for forming a joint operation, and the use of more Indonesian workers referred to in Article 33 paragraph (1) b., c, d, and issuing the <u>Business Licensing</u> referred to in Article 34 paragraph (4), will be issued in a <u>Government Regulation</u> .
Article 36	<u>Deleted.</u>
<p>(1) The development of the Construction Services Business referred to in Article 12 can be conducted through the Construction Business.</p> <p>(2) The Construction Business referred to in paragraph (1) consists of the building Construction Business and the civil Construction Business.</p> <p>(3) The Construction Business referred to in paragraph (1) is financed through investments made by:</p> <ol style="list-style-type: none"> a. the Central Government; b. Regional Governments; c. business entities; and / or d. the public. <p>(4) The licensing of the Construction Business referred to in paragraph (1) will be conducted according to the prevailing laws and regulations.</p> <p>(5) Further provisions on the Construction Business referred to in paragraph (1) to paragraph (3) will be issued under a Presidential Regulation.</p>	
Article 38	Article 38
(1) The provision of construction services consists of the implementation of the Construction Services Business and the Construction Business.	(1) The provision of Construction Services is <u>conducted through the</u> implementation of the Construction Services Business and the Construction Business.
(2) The implementation of the Construction Services Business	(2) The Implementation of the Construction Services Business

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<p>referred to in paragraph (1) can be conducted solely or through a binding form of construction services.</p> <p>(3) The Implementation of the Construction Business referred to in paragraph (1) can be conducted solely or under a construction agreement.</p>	<p>referred to in paragraph (1) can be conducted solely or through a binding form of Construction Services.</p> <p>(3) <u>Further provisions on the implementation of the Construction Services Business which is conducted independently or through the binding form of Construction Services referred to in paragraph (2) will be issued in a Government Regulation.</u></p>
Article 42	<u>Deleted.</u>
<p>(1) The selection of a Service Provider referred to in Article 41, that is financed using the state budget must be conducted through a tender or selection, electronic procurement, a direct appointment, or direct procurement in accordance with the prevailing laws and regulations.</p> <p>(2) The tender or the selection referred to in paragraph (1) can be conducted through a pre-qualification, post-qualification or a quick-tender.</p> <p>(3) The electronic procurement referred to in paragraph (1) is a method for selecting service providers which are already listed in the catalogue.</p> <p>(4) The direct appointment referred to in paragraph (1) can be conducted for the following:</p> <ul style="list-style-type: none"> a. emergency management for the safety of the community; b. complex works which can only be performed by a limited number of service providers or can only be performed by the service provider that owns the rights; c. confidential works which concerns the safety and security of the state; d. small-scale works; and/or e. under certain conditions. <p>(5) The direct procurement referred to in paragraph (1) may be conducted for a project with a certain value.</p>	

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(6) Further provisions on the certain conditions referred to in paragraph (4) e., and the certain value referred to in paragraph (5), will be issued in a Government regulation.	
Article 44	Article 44
The service users referred to in Article 39 paragraph (2) are prohibited from retaining affiliated service providers for construction for the public interest without holding a tender or selection, or electronic procurement process.	The <u>Service Users</u> referred to in Article 39 paragraph (2) are prohibited from retaining affiliated <u>Service Providers</u> for construction for the public interest without holding a tender or selection, or electronic <u>cataloguing</u> process.
Article 57	<u>Deleted.</u>
<p>(1) In selecting the service provider referred to in Article 42, the service provider must provide a guarantee to the service user that it will perform its obligations required under the service provider selection document.</p> <p>(2) The guarantee referred to in paragraph (1) consists of:</p> <ol style="list-style-type: none"> a. a guarantee of the offer; b. a guarantee of the implementation; c. a guarantee of the advance payment; d. a guarantee of the maintenance; and/or e. a guarantee to counter an appeal. <p>(3) The guarantee referred to in paragraph (2) must be disbursed without reservation according to the value of the collateral and within a certain time after a notice from the service user regarding a default committed by the service provider.</p> <p>(4) The guarantee referred to in paragraph (3) may be issued by a banking institution, insurance company, and/or be a company guarantee in the form of a bank guarantee and/or a binding agreement in accordance with the prevailing laws and regulations.</p>	

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<p>(5) An amendment to the guarantee referred to in paragraph (2) must be made while taking into account the dynamic development of the provision of construction services both nationally and internationally.</p> <p>(6) Further provisions on the guarantees referred to in paragraph (1) and amendments to the guarantee referred to in paragraph (5) will be issued under a Presidential Regulation.</p>	
Article 58	<u>Deleted.</u>
<p>(1) The Construction Business referred to in Article 36 paragraph (1) can be conducted solely or with other parties.</p> <p>(2) In the event it is conducted with the other parties referred to in paragraph (1), the implementation of the Construction must be conducted under a construction agreement.</p> <p>(3) The parties to the construction agreement referred to in paragraph (2) must consist of the following:</p> <ul style="list-style-type: none"> a. The first party, as the owner of the construction; and b. second party, as the provider of the construction. <p>(4) The parties referred to in paragraph (3) may consist of:</p> <ul style="list-style-type: none"> a. individuals; or b. entities. <p>(5) The construction referred to in paragraph (1) may be conducted in cooperation with the Central Government and/or Regional Government with a business entity and/or the public.</p> <p>(6) Under the construction agreement referred to in paragraph (2), the provision of the construction services must be performed by a service provider.</p> <p>(7) Further provisions on the construction agreement referred to in paragraph (2),</p>	

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will be issued under a Presidential Regulation.	
Article 59	Article 59
<p>(1) In every provision of construction services, the service user and service provider must meet the security, safety, health and sustainability Standards.</p> <p>(2) In meeting the Security, Safety, Health, and Sustainability standards referred to in paragraph (1), the service user and/or service provider must provide a validation or approval of:</p> <ol style="list-style-type: none"> a. the results of the assessment, planning and/or design; b. the technical plan for the development, maintenance, dismantling, and/or redevelopment process; c. the implementation of the development, maintenance, dismantling, and/or redevelopment process; d. the use of materials, equipment and/or technologies; and/or e. the result of the construction services. 	<p>(1) In every provision of construction services, the service user and service provider must meet the safety, safety, health, and sustainability standards.</p> <p>(2) <u>Further provisions on the provision of construction services, service users and service providers having to meet the security, safety, health, and sustainability standards referred to in paragraph (1) will be issued in a Government Regulation.</u></p>
Article 69	Article 69
<p>(1) The training of construction workers is to be organized using professional training methods that are relevant, effective, and efficient according to the professional competence standards.</p> <p>(2) The training referred to in paragraph (1) is intended to increase the productivity of workers.</p> <p>(3) Work Competency Standard referred to in paragraph (1) must be determined in accordance with the prevailing laws and regulations.</p> <p>(4) The training of construction workers referred to in paragraph (1) must be organized by educational and professional training institutions in accordance with the prevailing laws and</p>	<p>(1) The training of construction workers is to be organized using professional training methods that are relevant, effective, and efficient in according to the Professional Competence Standards.</p> <p>(2) The training referred to in paragraph (1) is intended to increase the productivity of workers.</p> <p>(3) The Professional Competence Standards referred to in paragraph (1) must be determined in accordance with the prevailing laws and regulations.</p> <p>(4) The training of construction workers referred to in paragraph (1) must be organized by educational and professional training institutions in accordance with the prevailing laws</p>

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<p>regulations.</p> <p>(5) The educational and professional training institutions referred to in paragraph (4) will be registered by the Minister.</p> <p>(6) The Minister referred to in paragraph (5) will conduct the registration of educational and professional training intuitions that are licensed and/or accredited in accordance with the prevailing laws and regulations.</p>	<p>and regulations.</p> <p>(5) The educational and professional training institutions referred to in paragraph (4) <u>must have a Business Licensing from the Central Government.</u></p> <p>(6) Further provisions on the Business Licensing Procedure referred to in paragraph (5) <u>will be issued in a Government Regulation.</u></p>
Article 72	Article 72
<p>(1) To obtain recognition of professional experience, each construction worker must register with the Minister.</p> <p>(2) The registration referred to in paragraph (1) must be proven by a list of professional experience.</p> <p>(3) The list of professional experience referred to in paragraph (2) must contain at least:</p> <ol style="list-style-type: none"> a. the kind of professional services provided; b. the value of construction work that is related to the result of the professional services; c. years of work; and d. the names of the service users 	<p>(1) To obtain recognition of professional experience, each construction worker must register with the <u>Central Government.</u></p> <p>(2) The registration referred to in paragraph (1) must be proven by a list of professional experience.</p> <p>(3) <u>Further provisions on the registration referred in paragraph (1) will be issued in a Government Regulation.</u></p>
Article 74	<u>Deleted.</u>
<p>(1) Foreign construction services employers must have a Foreign Manpower Utilization Plan and permits to employ foreign manpower.</p> <p>(2) Foreign construction workers can perform construction work in Indonesia in only certain positions in accordance with the prevailing laws and regulations.</p> <p>(3) A foreign construction worker who holds the position of an expert that will be employed by the employer referred to in</p>	

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<p>paragraph (1) must have a registration letter from the Minister.</p> <p>(4) The registration letter referred to in paragraph (3) will be issued according to the foreign work construction competence certificate issued in accordance with the laws of the country of origin.</p> <p>(5) A foreign construction worker who holds the position of an expert must sign a transfer of knowledge and technology to the accompanying local worker statement as required under the prevailing laws and regulations.</p> <p>(6) The supervision of the use of foreign construction workers is to be conducted by manpower supervisors as required under the prevailing laws and regulations.</p> <p>(7) Further provisions on the procedure for the registration of foreign construction workers referred to in paragraph (4) will be issued under Ministerial Regulations.</p>	
Article 84	Article 84
<p>(1) The exercising of the partial authority of the Central Government referred to in Article 5 will involve the construction services community.</p> <p>(2) The participation of the construction services community referred to in Article (1) will be conducted through one institution that is formed by the Minister.</p> <p>(3) The criteria for the management institution referred to in paragraph (2) are that it is nominated by:</p> <ul style="list-style-type: none"> a. accredited company associations; b. accredited professional associations; c. construction services user institutions that satisfy the requirements; and 	<p>(1) The exercising of the partial authority of the Central Government referred to in Article 5 will involve the Construction Services community.</p> <p>(2) The participation by the Construction Services community referred to in Article (1) will be conducted through one institution that is formed by the <u>Central Government</u>.</p> <p>(3) The criteria for the management Institution referred to in paragraph (2) are that it can be nominated by:</p> <ul style="list-style-type: none"> a. accredited company associations; b. accredited professional associations; c. construction services user institutions that satisfy the requirements;

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<p>d. universities or experts that satisfy the requirements.</p> <p>(4) Other than those that meet the criteria referred to in paragraph (3), the management institution can be nominated by associations related to an accredited construction supply chain.</p> <p>(5) The management institution referred to in paragraph (3) will be appointed by the Minister after obtaining approval from the House of Representatives.</p> <p>(6) The accredited associations referred to in paragraph (3) will be appointed by the Minister upon satisfying the requirements regarding the following:</p> <ul style="list-style-type: none"> a. the quantity and distribution of their members; b. the empowerment of their members; c. the democratic election of their management; d. their facilities and pre-facilities at central and regional level; and e. the performance of their duties in accordance with the prevailing laws and regulations. <p>(7) The exercising of its partial authority to be conducted by the institution referred to in paragraph (1), will be funded by the state budget and/or other valid sources in accordance with the prevailing laws and regulations.</p>	<p>d. universities or experts that satisfy the requirements; <u>and</u></p> <p>e. <u>accredited construction supply chain associations.</u></p> <p>(4) The <u>management Institution</u> referred to in paragraph (3) <u>will be determined by the Central Government after obtaining approval from the House of Representatives.</u></p> <p>(5) <u>The implementation of part of the authority exercised by the institution referred to in paragraph (1) will be financed by the state revenue and expenditure budget and / or other legitimate sources in accordance with the provisions of laws and regulations.</u></p> <p>(6) <u>Fees obtained from the public for services in the implementation of part of the authorities exercised by the institution referred to in paragraph (3) constitute non-tax state revenue in accordance with the provisions of laws and regulations.</u></p> <p>(7) <u>Further provisions on the exercising of part of the authority of the Central Government which involves the Construction Services community and the formation of institutions will be issued in a Government Regulation.</u></p>
Article 89	Article 89
<p>(1) Any individual entity who does not hold the Individual Registration Certificate referred to in Article 26 paragraph (1) will be given an administrative sanction in the form of:</p> <ul style="list-style-type: none"> a. a written warning; b. an administrative fine; and/or 	<p>(1) Any individual entity that does not hold the <u>Business Licensing</u> referred to in Article 26 paragraph (1) will be given an administrative sanction in the form of:</p> <ul style="list-style-type: none"> a. a written warning; b. an administrative fine; and/or

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c. a temporary cessation of construction services activities.	c. a temporary cessation of Construction Services activities.
Article 92	<u>Deleted.</u>
<p>Any foreign representative office that does not comply with its obligation referred to in Article 33 paragraph (1) will be given an administrative sanction in the form of:</p> <ul style="list-style-type: none"> a. a written warning; b. an administrative fine; c. a temporary cessation of Construction Services activities; d. its inclusion in the black list e. the freezing of its license; and/or f. the revocation of its license. 	
Article 96	Article 96
<p>(1) Any service provider and/or service user that does not meet the security, safety, health and sustainability standards in the provision of construction services referred to in Article 59 paragraph (1) will be given an administrative sanction in the form of:</p> <ul style="list-style-type: none"> a. a written warning; b. an administrative fine; c. the cessation of construction services activities; d. its inclusion in the black list; e. the freezing of its license; and/or f. the revocation of its license. <p>(2) Any service user and/or service provider which has been granted validation or approval, which violates the provisions referred to in Article 59 paragraph (2) will be given an administrative sanction in the form of:</p> <ul style="list-style-type: none"> a. a written warning; b. an administrative fine; c. the cessation of construction services activities; d. its inclusion in the black list; e. the freezing of its license; and/or 	<p>(1) Any service provider and/or service user who does not meet the security, safety, health and sustainability standards in the provision of Construction Services referred to in Article 59 paragraph (1) will be given an administrative sanction in the form of:</p> <ul style="list-style-type: none"> a. a written warning; b. an administrative fine; c. the cessation of <u>Construction activities</u>; d. its inclusion in the black list; e. the freezing of its <u>Business Licensing</u>; and/or f. the revocation of its <u>Business Licensing</u>. <p>(2) Any service user and/or service provider which has been granted a validation or approval, who violates the provisions referred to in Article 59 paragraph (2) will be given an administrative sanction in the form of:</p> <ul style="list-style-type: none"> a. a written warning; b. an administrative fine; c. the cessation of Construction Services activities; d. its inclusion in the black list; e. the freezing of its <u>Business Licensing</u>; and/or

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f. the revocation of its license.	f. the revocation of its <u>Business Licensing</u> ; g. <u>The revocation of its Business Entity Certificate for Construction Service Providers</u> .
Article 99	Article 99
<p>(1) Any construction worker who works in construction services who does not hold the Professional Competence Certificate referred to in Article 70 paragraph (1) will be given an administrative sanction in the form of his exclusion from the workplace.</p> <p>(2) Any service user and/or service provider who employs a construction worker who does not hold the Professional Competence Certificate referred to in Article 70 paragraph (2) will be given an administrative sanction in the form of:</p> <ul style="list-style-type: none"> a. an administrative fine; and/or b. a temporary cessation of construction services activities. <p>(3) Any professional certification agency that does not follow the implementing regulation on professional competence examinations referred to in Article 70 paragraph (3) will be given an administrative sanction in the form of:</p> <ul style="list-style-type: none"> a. a written warning; b. an administrative fine; c. the freezing of his license; and/or d. the revocation of his licenses. 	<p>(1) Any construction worker who works in construction services who does not hold the Certificate of Professional Competence referred to in Article 70 paragraph (1) <u>for Construction Services</u> will be given an administrative sanction in the form of his exclusion from their workplace.</p> <p>(2) Any service user and/or service provider who employs a construction worker who does not hold a Certificate of Professional Competence referred to in Article 70 paragraph (2) will be given an administrative sanction in the form of:</p> <ul style="list-style-type: none"> a. an administrative fine; and/or b. a temporary cessation of construction services activities. <p>(3) Any <u>construction worker who works in the Construction Services sector who has a Professional Competence Certificate</u> referred to in Article 70 paragraph (1) <u>who does not perform according to the Indonesian national work competence standards, international standards, and / or special standards</u> will be subject to sanctions in the form of:</p> <ul style="list-style-type: none"> a. a written warning; b. an administrative fine; c. the freezing of his license; and/or d. revocation of his license. <p>(4) <u>Any professional certification agency that does not follow the implementing regulation on professional competence examinations referred to in Article 70 paragraph (3) will be given an administrative sanction in the form of:</u></p> <ul style="list-style-type: none"> <u>a. a written warning;</u> <u>b. an administrative fine;</u>

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	<ul style="list-style-type: none"> c. <u>the freezing of his license; and/or</u> d. <u>the revocation of his licenses.</u>
Article 101	<u>Deleted.</u>
<p>(1) Any foreign construction employer that does not have the Foreign Manpower Utilization Plan and permits to employ foreign construction workers referred to in Article 74(1) or employs foreign construction workers that do not have the registration letter from the Minister referred to in Article 74 paragraph (3), will be given an administrative sanction in the form of:</p> <ul style="list-style-type: none"> a. a written warning; b. an administrative fine; c. a temporary cessation of construction services activities and/or d. its inclusion in the black list <p>(2) Any foreign construction worker holding an expert's position who does not comply with the obligation to conduct a transfer of knowledge and technology referred to in Article 74 paragraph (5) will be given an administrative sanction in the form of:</p> <ul style="list-style-type: none"> a. a written warning; b. an administrative fine; c. his/her exclusion from the workplace; and/or d. his/her inclusion in the black list. 	
Article 102	Article 102
Further provisions on the procedure for imposing the administrative sanctions referred to in Article 89 to Article 101, will be issued under a Government Regulation.	Further provisions on <u>the criteria, types, amounts of fines and</u> the imposition of the administrative sanctions referred to in Article 89, <u>Article 90, Article 91, Article 93, Article 94, Article 95, Article 96, Article 97, Article 98, Article 99, and Article 100,</u> will be issued in a Government Regulation.