LAW OF THE REPUBLIC OF INDONESIA

NUMBER 7 YEAR 2011

ON

THE CURRENCY

BY THE GRACE OF THE GOD ALMIGHTY

PRESIDENT OF THE REPUBLIC OF INDONESIA,

|  |  |  |
| --- | --- | --- |
| Considering | : | 1. that the Unitary State of the Republic of Indonesia as an independent and sovereign country has the Currency as the symbol of the sovereignty of country of which should be appreciated and should be proud by the entire Indonesian Citizen;
2. that the Currency is required as the legal tender in the national and international economy activities for the purpose of realizing the social welfare for the entire people of Indonesia;
3. that so far the regulation on type and price of Currency as mandated in Article 23B of the Constitution of the State of the Republic of Indonesia Year 1945 has not been regulated in a separate Law;
4. that based on the consideration as set forth in point a, point b, and point c, it is necessary to enact Law on the Currency;
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| --- | --- | --- |
| In the view of | : | 1. Article 20, Article 21, and Article 23B of the Constitution of the State of the Republic of Indonesia Year 1945;
2. Law Number 23 Year 1999 on Bank Indonesia (State Gazette of the Republic of Indonesia Year 1999 Number 66, the Supplement State Gazette of the Republic of Indonesia Number 3843) as has been several time amended, lastly through Law Number 6 Year 2009 on the Stipulation of the Government Regulation as the Substitute of Law Number 2 Year 2008 on the Second Amendment of Law Number 23 year 1999 on Bank Indonesia to be the Law (State Gazette of the Republic of Indonesia Year 2009 Number 7, the Supplement State Gazette of the Republic of Indonesia Number 4962);
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With the joint approval of

THE HOUSE OF REPRESENTATIVE OF THE REPUBLIC OF INDONESIA

and

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

BE IT HEREBY RESOLVED:

To enact: LAW ON THE CURRENCY

**CHAPTER I**

**GENERAL PROVISION**

Article 1

The following definitions shall be applied in this Law:

1. Currency shall be money of which issued by the Unitary State of the Republic of Indonesia of which hereinafter referred to as Rupiah.
2. Money shall be the legal payment instrument.
3. Bank Indonesia shall be the central bank of the Republic of Indonesia as set forth in the Constitution of the State of the Republic of Indonesia Year 1945.
4. Territory of the Republic of Indonesia shall be overall territorial region of the Republic of Indonesia, including Indonesia-flagged ships and planes, the Embassy of the Republic of Indonesia, representative office of the Republic of Indonesia in abroad.
5. Characteristic of Rupiah shall be particular mark(s) on each Rupiah of which has been set for the purpose of showing identity, differentiating the price or nominal value, and securing Rupiah from the effort of counterfeiting.
6. Paper Money shall be the material of which is used to make Rupiah banknotes of which contains securing elements and of which is durable.
7. Metal Money shall be the material of which is used to make Rupiah coins of which contains securing elements and of which is durable.
8. Imitation of Rupiah shall be an object whose material, size, color, images, and/ or its design resembles Rupiah of which is made, shaped, printed, duplicated, distributed, not used as payment instrument with degrading the honor of Rupiah as symbol of the State.
9. Counterfeit Rupiah shall be an object whose material, size, color, images, and/ or its design resembles Rupiah of which is made, shaped, printed, duplicated, distributed, and used as illegal payment instrument.
10. Rupiah Management shall be an activity of which includes Planning, Printing, Issuing, Distributing, Revocation and Retraction, as well Extermination of the Rupiah of which is performed effectively, efficiently, transparently, and accountably.
11. Planning shall be a series of activities to determine the number and type denomination based on the estimation on the need of Rupiah in certain period.
12. Printing shall be a series of activities to print Rupiah.
13. Issuing shall be a series of activities to issue Rupiah as a legal payment instrument in the Territory of the Republic of Indonesia.
14. Distributing shall be a series of activities to circulate or to distribute Rupiah in the Territory of the Republic of Indonesia.
15. Revocation and Retraction shall be a series of activities of which determines that Rupiah is not applicable as a legal payment instrument in the Territory of the Republic of Indonesia.
16. Extermination shall be a series of activities to formulate, to melt, or other methods to exterminate Rupiah so that it does not resemble the Rupiah.
17. Investigator shall be the investigator as set forth in the Law on Criminal Procedure Law.
18. Government shall be the government of the Republic of Indonesia.
19. Anyone shall be each individual or corporation.

**CHAPTER II**

**KIND AND PRICE OF RUPIAH**

Part First

Kind of Rupiah

Article 2

1. Currency of the Unitary State of the Republic of Indonesia shall be Rupiah.
2. Kind of Rupiah consists of Rupiah banknotes and Rupiah coins.
3. Rupiah as set forth in section (1) above shall be symbolized with Rp.

Part Second

Price of Rupiah

Article 3

1. Price of Rupiah shall be nominal value of which included in each Rupiah denomination.
2. One Rupiah shall be 100 (hundred) cents.
3. Rupiah denomination as set forth in section (1) above, shall be set by the Bank Indonesia of which is in coordination with the Government.
4. In determining the denomination of Rupiah as set forth in section (1) above, Bank Indonesia coordinate with the Government look carefully at the monetary condition, the practicality as a payment instrument, and/ or the need of society.
5. The change of Rupiah price shall be set by the Law.

**CHAPTER III**

**CHARACTERISTICS, DESIGN, AND RAW MATERIAL OF RUPIAH**

Part First

Characteristics of Rupiah

Article 4

Characteristics Rupiah consists of general and special characteristic.

Article 5

1. General characteristics of Rupiah banknotes as set forth in Article 2 section (2) above at least consists of:
2. image of the state emblem “Garuda Pancasila”;
3. phrase “Negara Kesatuan Republik Indonesia”;
4. appellation of denomination both in number and letter as the nominal value;
5. signature of the party of Government and Bank Indonesia;
6. text: “DENGAN RAHMAT TUHAN YANG MAHA ESA, NEGARA KESATUAN REPUBLIK INDONESIA MENGELUARKAN RUPIAH SEBAGAI ALAT PEMBAYARAN YANG SAH DENGAN NILAI ...”; and
7. emission year and print.
8. General characteristics of Rupiah coins as set forth in Article 2 section (2) above at least consist of:
9. image of the state emblem “Garuda Pancasila”;
10. phrase “Republic Indonesia”;
11. appellation of denomination both in number and letter as the nominal value; and
12. emission year and print.
13. Other than has general characteristics as set forth in section (1) and section (2) above, each Rupiah denomination has also has special characteristics as security of which is in the design, material, and printing technique.
14. Special characteristics as set forth in section (3) above are overt, semi-covert and covert in nature.

Article 6

Rupiah as set forth in Article 4 does not include image of the people who are still alive.

Article 7

1. Image of the national heroes and/ or image of the President shall be included as the main image at the front side of Rupiah.
2. The use of image of the national heroes as set forth in section (1) above shall be obtained by the Government from the responsible official institution and authorized to administer such images and obtaining approval from the heirs.
3. Images of the national heroes and/ or the President as set forth in section (1) above shall be set with the Decree of President.

Part Second

Design of Rupiah

Article 8

Design of Rupiah consists of characteristics, certain marks, size, and element of security.

Part Third

Material of Rupiah

Article 9

1. The material of Rupiah consists of Paper Money and Metal Money.
2. The material of Rupiah as set forth in section (1) above prioritize the domestic materials through maintaining the quality, security, and competitive price as well determined by Bank Indonesia of which coordinates with the Government.

Article 10

Further provisions regarding on characteristics, design, and raw material criteria of Rupiah shall be set with the Regulation of Bank Indonesia.

**CHAPTER IV**

**MANAGEMENT RUPIAH**

Part First

General

Article 11

1. Management Rupiah consists of the phases as follow:
2. Planning;
3. Printing;
4. Issuing;
5. Distributing;
6. Revocation and Retraction; and
7. Extermination.
8. Planning, Printing, and Extermination as set forth in section (1) above shall be performed by Bank Indonesia of which coordinates with the Government.
9. Bank Indonesia shall be the only one institution of which is authorized to perform Issuing, Distribution, and/ or Revocation and Retraction of Rupiah.
10. During the implementation of the Distribution of Rupiah, Bank Indonesia determines serial number of Rupiah Banknotes.

Article 12

Overall phases in the Management Rupiah as set forth in Article 11 section (1) follow the security procedures.

Part Two

Planning

Article 13

1. Planning on the number of Rupiah to be printed shall be performed by Bank Indonesia of which coordinates with the Government.
2. The Provision on the number of the circulated Rupiah shall be performed by Bank Indonesia.

Part Third

Printing

Article 14

1. Rupiah Printing shall be performed by Bank Indonesia.
2. Rupiah Printing as set forth in section (1) above shall be performed domestically through appointing the state owned enterprise as the implementer of Rupiah Printing.
3. In the event that the state owned enterprise as set forth in section (2) above is not capable to implement the Rupiah Printing, it could be implemented by the state owned enterprise in collaboration with other institution of which is appointed through the process that is transparent and accountable as well benefited the country.
4. The implementation of Rupiah Printing as set forth in section (2) should maintain the quality, security, and competitive price.

Part Fourth

Issuing

Article 15

1. The Issuing of rupiah shall be performed and set by Bank Indonesia, announced in the State Gazette of the Republic of Indonesia, as well published in mass media.
2. Rupiah of which is issued as set forth in section (1) above shall be exempted from stamp duty.
3. Bank Indonesia sets the valid date, month, and year.

Part Fifth

Distribution

Article 16

1. Bank Indonesia shall be the only one institution of which is authorized to distribute Rupiah to the society.
2. Distribution of Rupiah as set forth in section (1) above shall be performed by Bank Indonesia in accordance with the need of circulated number of money.
3. Further provision regarding on the procedures of distribution of Rupiah as set forth in section (2) above shall be set with the Regulation of Bank Indonesia.

Part Sixth

Revocation and Retraction

Article 17

1. Revocation and Retraction of the Rupiah from circulation shall be performed and determined by Bank Indonesia, announced in the State Gazette of the Republic of Indonesia, as well published in the mass media.
2. Revocation and Retraction as set forth in section (1) above shall be provided substitution by Bank Indonesia as much as the equal nominal value.
3. Right to obtain substitution of Rupiah of which has been revoked and retracted from the circulation as set forth in section (2) shall not be applicable after 10 (ten) years since the date of revocation.
4. Further provisions regarding on the substitution criteria on the revoked and retracted Rupiah as set forth in section (2) above shall be set with the Regulation of Bank Indonesia.

Part Seventh

Extermination

Article 18

1. Extermination on the revoked and retracted Rupiah shall be performed by Bank Indonesia of which coordinates with the Government.
2. Number and Nominal Value of the exterminated Rupiah shall be announced in the State Gazette of the Republic of Indonesia.
3. Criteria of the exterminated Rupiah shall be as follow:
4. Rupiah is infeasible;
5. Rupiah of which is feasible but due to certain consideration it has not economic benefit and/ or less enthused by the society; and
6. Rupiah is not applicable.

Article 19

Bank Indonesia shall be obliged to report the Management of Rupiah as set forth in Article 11 periodically to the House of Representative each 3 (three) months.

Article 20

1. For the purpose to ensuring the accountability implementation of Printing, Issuing, Extermination of Rupiah, the Audit Board of the Republic of Indonesia conducts the audit periodically.
2. The implementation of audit as set forth in section (1) above by the Audit Board of the Republic of Indonesia shall be conducted at least 1 (one) time in 1 (one) year.

**CHAPTER V**

**THE USE OF RUPIAH**

Article 21

1. Rupiah shall be used in:
2. each transaction whose objective is for the payment purpose;
3. settlement of the other obligation of which have to be settled using money; and/ or
4. other transactions

of which is performed in the Territory of the Unitary State of the Republic of Indonesia.

1. Obligation as set forth in section (2) shall not be applicable for:
2. particular transaction in the framework of the implementation of state revenue and expenditure;
3. revenue and/ or awarding grants from or to the abroad;
4. international commerce transaction;
5. bank deposit in the form of foreign currency; or
6. International finance transaction.

**CHAPTER VI**

**THE EXCHANGE OF RUPIAH**

Article 22

1. In order to meet the need of Rupiah in a sufficient amount in the society, kind of appropriate denominations, and in feasible condition to be circulated, the Rupiah in circulating in the society could be exchanged with the provisions as follow:
2. the exchange of Rupiah could be performed in the equal denomination or other denomination; and/ or
3. the exchange of shabby Rupiah and/ or defective due to fire or by other reasons shall be performed substitution with the equal nominal value.
4. The exchange of Rupiah of which is partially damaged due to fire or by other reasons as set forth in section (1) point b above, could be performed substitution in the event that the originality mark of the Rupiah can be recognized.
5. Criteria of the shabby Rupiah and/ or damaged of which could be provided substitution as set forth in section (1) point b, and section (2) above shall be set with the Regulation of Bank Indonesia.
6. The Exchange of Rupiah as set forth in section (1) above shall be implemented by Bank Indonesia, banks of which operate in Indonesia, or other party of which is appointed by Bank Indonesia.

**CHAPTER VII**

**PROHIBITION**

Article 23

1. Anyone shall be prohibited to refuse in accepting Rupiah whose handover is intended as the payment or to settle the obligation of which should be settled with Rupiah and/ or for the other financial transaction in the Territory of the Unitary State of the Republic of Indonesia.
2. Provision as set forth in section (1) above shall be excluded for the payment or the settlement of obligation in foreign currency of which has been agreed in written.

Article 24

1. Anyone shall be prohibited to imitate the Rupiah, except for the purpose of education and/ or promotion by giving the word *specimen*.
2. Anyone shall be prohibited to distribute or circulate the Imitation of Rupiah.

Article 25

1. Anyone shall be prohibited to damage, to cut, to destroy, and/ or to change Rupiah by mean to degrade the honor of Rupiah as a symbol of state.
2. Anyone shall be prohibited to buy or to sell the Rupiah of which has been damaged, cut, destroyed, and/ or changed.
3. Anyone shall be prohibited to export or to import Rupiah of which has been damaged, cut, destroyed, and/ or changed.

Article 26

1. Anyone shall be prohibited to counterfeit the Rupiah.
2. Anyone shall be prohibited to storage physically in whatsoever means of which is known as counterfeit Rupiah.
3. Anyone shall be prohibited to circulate and/ or to purchase the Rupiah of which is known as counterfeit Rupiah.
4. Anyone shall be prohibited to transport or to insert the Rupiah into or out of the Territory of the Unitary State of the Republic of Indonesia.
5. Anyone shall be prohibited to import or to export the counterfeit Rupiah.

Article 27

1. Anyone shall be prohibited to produce, to sell, to purchase, to import, to export, to storage, and/ or to distribute the machines, equipments, printing instruments, printing plates, or other instruments of which is used or intended to make counterfeit Rupiah.
2. Anyone shall be prohibited to produce, to sell, to purchase, to import, to export, to storage, and/ or to distribute the raw material of Rupiah, which is used or intended to make counterfeit Rupiah.

**CHAPTER VIII**

**THE ERADICATION OF COUNTERFEIT RUPIAH**

Article 28

1. The Eradication of Counterfeit Rupiah shall be performed by the Government through a board of which coordinates the eradication of counterfeit Rupiah.
2. Board as set forth in section (1) above consist of the elements of:
3. State Intelligent Agency;
4. National Police of the Republic of Indonesia;
5. Attorney General;
6. Ministry of Finance; and
7. Bank Indonesia.
8. Provisions regarding on the duty, authority, and responsibility of the board as set forth in section (1) above shall be set with the President Regulation.

Article 29

1. Authority to determine the authenticity of Rupiah shall be on Bank Indonesia.
2. During performing its authority as set forth in section (1) above, Bank Indonesia provides information and knowledge on the marks of the Rupiah authenticity to the society.
3. The society could request the clarification on the Rupiah of which is doubted its authenticity to Bank Indonesia.

**CHAPTER IX**

**INVESTIGATION**

**ON THE CRIMINAL ACTION AGAINST RUPIAH**

Article 30

Investigation on the criminal actions against Rupiah shall be implemented under the Criminal Procedure Law, unless specified otherwise herein.

Article 31

The evidence on the criminal actions against Rupiah includes:

1. evidence of which is set in the Criminal Procedure Law; and
2. evidence of which is set herein, namely:
3. goods of which can store images, voices and films, either electronic or optic, and whatsoever data storage media; and/ or
4. data of which is stored in the internet networks or other communication channel providers.

Article 32

1. Unless the authority of investigator as set forth in the Criminal Procedure Law, the Investigator shall also be authorized to open the access or examine and make the copy of electronic data of which is stored in the computer archives, internet networks, optic media, and whatsoever electronic data storages.
2. For the interest of investigation as set forth in section (1) above, the Investigator could confiscate the evidences from the owner of data and electronic service providers.
3. In the event that there is a connection between the electronic data and the case being investigated, the electronic data as set forth in section (1) above could be attached on the case file.
4. In the event that there is not a connection between the electronic data and the case being investigated, the electronic data as set forth in section (1) above shall be omitted and the Investigator shall be obliged to maintain the confidentiality content of electronic data of which is omitted.

**CHAPTER X**

**CRIMINAL PROVISIONS**

Article 33

1. Anyone who does not use the Rupiah in:
2. each transaction whose objective is for the payment purpose;
3. settlement of the other obligation of which should be fulfilled using the money; and/ or
4. other financial transaction.

as set forth in Article 21 section (1) shall be subject to sentence with imprisonment for no longer than 1 (one) year and subject to sentence with fine no more than Rp200.000.000, 00 (two hundred million rupiah).

1. Anyone shall be prohibited to refuse for accepting Rupiah of whose handover is intended to settle as a payment or to settle the obligation of which should be fulfilled using Rupiah and/ or other financial transaction in the Territory of the Unitary State of the Republic of Indonesia, unless due to be found the doubt in the Rupiah as set forth in Article 23 shall be subject to sentence with imprisonment for no longer than 1 (one) year and subject to sentence with fine no more than Rp200.000.000, 00 (two hundred million rupiah).

Article 34

1. Anyone shall be prohibited to imitate the Rupiah, except for the purpose of education and/ or promotion by giving the word *specimen* as set forth in Article 24 section (1) shall be subject to sentence with imprisonment for no longer than 1 (one) year and subject to sentence with fine no more than Rp200.000.000, 00 (two hundred million rupiah).
2. Anyone who circulates and distributes Imitation of Rupiah as set forth in Article 24 section (2) shall be subject to sentence with imprisonment for no longer than 1 (one) year and subject to sentence with fine no more than Rp200.000.000,00 (two hundred million rupiah).

Article 35

1. Anyone who deliberately damages, cuts, exterminates, and/ or changes the Rupiah with the intention to degrade the honor of Rupiah as symbol of the state as set forth in the Article 25 section (1) shall be subject to sentence with imprisonment for no longer than 5 (five) years and subject to sentence with fine no more than Rp1.000.000.000, 00 (one billion rupiah).
2. Anyone who sells or purchases the Rupiah of which has been cut, damaged, exterminated, and/ or changed as set forth in Article 25 section (2) shall be subject to sentence with imprisonment for no longer than 5 (five) years and subject to fine no more than Rp1.000.000.000, 00 (one billion rupiah).
3. Anyone who imports or exports the Rupiah of which has been damaged, cut, exterminated, and/ or changed as set forth in Article 25 section (3) shall be subject to sentence with imprisonment for 10 (ten) years and subject to sentence with fine no more than Rp10.000.000.000, 00 (ten billion rupiah).

Article 36

1. Anyone who counterfeits the Rupiah as set forth in Article 26 section (1) shall be subject to sentence with imprisonment for 10 (ten) years and subject to sentence with fine no more than Rp10.000.000.000, 00 (ten billion rupiah).
2. Anyone who stores physically in whatsoever means of which is known as counterfeit Rupiah as set forth in Article 26 section (2) shall be subject to sentence with imprisonment for 10 (ten) years and subject to sentence with fine no more than Rp10.000.000.000, 00 (ten billion rupiah).
3. Anyone who circulates and/ or purchases counterfeit Rupiah of which is known as counterfeit Rupiah as set forth in Article 26 section (3) shall be subject to sentence with imprisonment for no longer than 15 (fifteen) years and subject to sentence with fine no more than Rp50.000.000.000, 00 (fifty billion rupiah).
4. Anyone who transports or inserts the counterfeit Rupiah into or out of the Territory of the Unitary State of the Republic of Indonesia as set forth in Article 26 section (4) shall be subject to sentence with imprisonment for no longer than 15 (fifteen) years and subject to sentence with fine no more than Rp50.000.000.000, 00 (fifty billion rupiah).
5. Anyone who imports or exports counterfeit Rupiah as set forth in Article 26 section (5) shall be subject to sentence with no longer than life imprisonment and subject to sentence with fine no more than Rp100.000.000.000, 00 (hundred billion rupiah).

Article 37

1. Anyone who produces, sells, purchases, imports, exports, storages, and/ or distributes the machines, equipments, printing instruments, printing plates, or other instruments of which is used or intended to make counterfeit Rupiah as set forth in Article 27 section (1) shall be subject to sentence with no longer than life imprisonment and subject to sentence with fine no more than Rp100.000.000.000, 00 (hundred billion rupiah).
2. Anyone who produces, sells, purchases, imports, exports, storages, and/ or distributes the raw materials of Rupiah of which is used or intended to make counterfeit Rupiah as set forth in Article 27 section (1) shall be subject to sentence with no longer than life imprisonment and subject to sentence with fine no more than Rp100.000.000.000, 00 (hundred billion rupiah).

Article 38

1. In the event that the criminal actions as set forth in Article 33, Article 34, Article 35, and Article 36 section (1), section (2), section (3), and section (4) is performed by the employees of Bank Indonesia, the implementer of Rupiah Printing, board of which coordinates the eradication of Counterfeit Rupiah, and/ or law enforcement officers, shall be subject to sentence with imprisonment and fine maximum shall be added with 1/3 (one third).
2. In the event that the criminal actions as set forth in Article 36 section (1), section (2), section (3), and section (4) is committed in an organized manners, is used for the crime of terrorism, or is used for the activities of which could cause the disturbing the national economy, the perpetrator shall be subject to sentence with no longer than life imprisonment and subject to sentence with fine no more than Rp100.000.000.000, 00 (hundred billion rupiah).

Article 39

1. The imposed sentence of which is imposed to the corporation shall be in the form of fine sentence with the provisions of criminal threat of maximum fine sentence as set forth in Article 33, Article 34, Article 35, Article 36, and Article 37 shall be added with 1/3 (one third).
2. In the event that the convict of corporation as set forth in section (1) above is not be able to pay the sentence of fine, in the court ruling shall be included the warrant of confiscation against the property of the corporation and/ or the property of the official of the corporation.
3. Other than criminal sanction as set forth in Article 33, Article 34, Article 35, Article 36, or Article 37, anyone could be subject to the additional sentence in the form of revocation of business license and/ or confiscation against certain property of the convict.

Article 40

1. In the event that the individual convict is not be able to pay the sentence of fine as set forth in Article 33, Article 34, Article 35, or Article 36 section (1), section (2), section (3), and section (4), the sentence of fine shall be substituted with sentence of imprisonment with the provision for each sentence of fine as much as Rp100.000.000, 00 (one hundred million rupiah) shall be substituted with sentence of imprisonment as long as 2 (two) months.
2. The long of the substitute sentence of imprisonment as set forth in section (1) above should be included into the court ruling.

**CHAPTER XI**

**TRANSITIONAL PROVISIONS**

Article 42

Rupiah with the general characteristics as set forth in Article 5 section (1) comes to be applicable, is issued, and is circulated on August 17, 2014.

Article 43

When this Law shall come into force, Rupiah banknotes and Rupiah coins of which are issued by Bank Indonesia shall be stated still applicable as long as they have not been revoked and retracted from the circulation.

**CHAPTER XII**

**CLOSING PROVISIONS**

Article 44

When this Law shall come into force, the existing law and regulation shall be stated still applicable as long as they are not contrary to this Law.

Article 45

When this Law shall come into force, the provision of Chapter X of the Criminal Procedure Law on the Counterfeit of Currency and the banknotes shall be stated still applicable as long as it is not contrary to this Law.

Article 46

When this Law shall come into force, Article 2, Article 19, Article 20, Article 21, Article 22, Article 23 of the Law Number 23 Year 1999 on Bank Indonesia (State Gazette of the Republic of Indonesia Year 1999 Number 66, the Supplement of State Gazette of the Republic of Indonesia Number 3843) as has been several times amended lastly with Law Number 6 Year 2009 on the Stipulation of the Government Regulation as the Substitute of Law Number 2 Year 2008 on the Second Amendment of Law Number 23 year 1999 on Bank Indonesia to be the Law (State Gazette of the Republic of Indonesia Year 2009 Number 7, the Supplement State Gazette of the Republic of Indonesia Number 4962) shall be revoked and shall be stated not applicable;

Article 47

Law and regulations as the implementing regulation of this law should have been stipulated no longer than 1 (one) year since this Law is enacted.

Article 48

This Law shall come into force since the enactment date.

For the public cognizance, it is ordered to promulgate this Law by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

On June 28th, 2011

PRESIDENT OF THE RPUBLIC OF INDONESIA

Signed,

DR. H. SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta

On June 28th, 2011

MINISTER OF JUSTICE AND HUMAN RIGHT OF

THE REPUBLIC OF INDONESIA

Signed,

PATRIALIS AKBAR

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2011 NUMBER 51

**Copy as the Original version**

THE MINISTRY OF STATE SECRETARIAT OF THE REPUBLIC OF INDONESIA

Assistant to the Deputy of Statutory Legislation,

Department of Economy

SETIO SAPTO NUGROHO

THE EXPLANATION

ON

LAW OF THE REPUBLIC OF INDONESIA

NUMBER 7 YEAR 2011

1. GENERAL

The Unitary State of the Republic of Indonesia as an independent and sovereign country has the sovereignty symbol of the country of which should be honored and should be proud of by all Indonesian Citizen. One of such sovereignty symbol shall be the Currency. The Currency of which is issued by the Unitary State of the Republic of Indonesia shall be Rupiah. Rupiah shall be used as the legal payment instrument in the activities of national economy for the purpose of realizing the social welfare for overall people of Indonesia.

The Constitution of the Republic of Indonesia Year 1945 Article 2B mandates that kinds and price of Currency shall be stipulated with the Law. The stipulation and regulation shall be required to provide protection and legal certainty for the kinds and price of Currency. The Rupiah as the Currency of the Unitary State of the Republic of Indonesia actually had been accepted and had been used since the independence period. During the history of the regulation of kinds and price of the Currency in Indonesia post-independence period, it has been enacted 4 (four) laws of which regulate the Currency. The issuance of such four laws actually is not the implementation of the 1945 Constitution, but as the implementation of the Article 109 section (4) of the Temporary Constitution Year 1950.

In the economy of a country, the role of money shall be extremely significant for the money has several functions, such as: as the exchange instrument or the payment instrument and the measurement instrument of the price so that it could be said that the money shall be the main economic instrument. With the money the economy of a country shall run well so that it supports the objective of statehood, namely for achieving the justice and welfare society. Furthermore, if it shall be seen particularly from the monetary field, the number of the circulated money in a country should be managed appropriately in accordance with the need of the economy.

Because of its role of which is extremely significant, the money should be made in such a way so that it is difficult to be imitated or be counterfeited by the other irresponsible parties. For this reason, role of the professional authority shall extremely be required to determine the characteristics, design, and raw material of Rupiah.

Crime against the Currency, particularly the counterfeit of Rupiah currently is increasingly rampant in a big scale and very troubling, particularly on the resulted impact of the money counterfeit of which could threat the monetary condition and the national economy. The Counterfeit of money currently also resulted other criminals such as terrorism, political crimes, money laundering, illegal logging, and human trafficking, either of which is committed by individual, of which is committed in organized manner, or of which is committed in transnational. Even, mode and manner of crimes against Currency is growing. While, the provision regarding on the crimes against counterfeit of money, which is regulated in the Criminal Law had not yet comprehensively regulated the kinds of such actions and the threatened sanction. In consideration on such basic thought, it is necessary to be regulated the kinds and price of Currency, including sanctions in a law as it is a principal need.

This law obliges the use of Rupiah in each transaction whose objective is payment, the other settlement of which should be fulfilled with the money, and/ or other financial transaction of which is performed in the Territory of the Unitary State of the Republic of Indonesia. The public trust to the Rupiah shall impact to the trust of international community to the Rupiah and national economy in general so that Indonesia has the dignity domestically and internationally and the stability of Rupiah shall maintainable.

This Law also emphasizes on the integrated Management of Rupiah, starting from the planning about the number of Rupiah to be printed, Printing of Rupiah, Issuing of Rupiah, Circulation of Rupiah, as well Revocation and Retraction of Rupiah, until the Extermination of Rupiah with the level of supervision of which is comprehensive so that there is check and balance among related parties for the realization of good governance.

Law enforcement regarding on the crime against Currency, particularly on the counterfeit of Rupiah requires the regulation of which resulted deterrent effect for the perpetrator for such criminal effect incredible impacts overall to the economy and dignity of the nation. Therefore, anyone who violates the provision of this Law shall be subject to severe criminal sanction.

In broad outline the material content of which is regulated in this Law covers [i] regulation on the Rupiah physically, which is regarding on the kinds and price, characteristics, design, as well raw material of the Rupiah; [ii] regulation on the Management of Rupiah since the Planning, Printing, Issuing, Circulation, Revocation and Retraction, as well Extermination of the Rupiah; [iii] regulation on the obligation of the use of Rupiah, the exchange of Rupiah, prohibition, the eradication of Counterfeit Rupiah; as well [iii] regulation regarding on the criminal provision regarding to the use, imitation, vitiation, and the counterfeit of Rupiah.

1. ARTICLE BY ARTICLE

Article 1

 Self-explanatory

Article 2

 Section (1)

 Self-explanatory

 Section (2)

 Self-explanatory

 Section (3)

Other than the symbol Rp (Rp is written without a dot), it is also recognized the term of *IDR* of which is the abbreviation of the *Indonesian Rupiah*, it is commonly applied in the international commerce, either domestically or internationally.

Article 3

 Section (1)

 Self-explanatory

 Section (2)

 Self-explanatory

 Section (3)

Coordination as set forth in this section is intended to deliver notification and the exchange of information as the consideration.

Section (4)

Coordination as set forth in this section is intended to deliver notification and the exchange of information as the consideration.

Section (5)

As long as the Law on the change of Rupiah price has not been promulgated, the change of Rupiah price could not be performed.

Article 4

 Self-explanatory

Article 5

 Section (1)

 Point a

 Self-explanatory

 Point b

 Self-explanatory

 Point c

 Self-explanatory

 Point d

The signing by the party of Government shall be represented by the Minister of Finance and by the party of Bank Indonesia shall be represented by the Governor of Bank Indonesia.

 Point e

 Self-explanatory

 Point f

 Self-explanatory

 Point g

 Self-explanatory

 Section (2)

 Self-explanatory

 Section (3)

 Self-explanatory

 Section (4)

*Overt* refers to the element of security of which can be detected without tools.

*Semi-Covert* refers to the element of security of which can be detected using simple tools such as magnifiers and ultraviolet [UV] light.

*Covert/ Forensic* refers to the element of security of which can only be detected using laboratory/ forensic instruments.

Article 6

 Self-explanatory

Article 7

 Section (1)

“*national heroes*” means the hero as set forth in the provision of the law and regulation.

“*front side of the Rupiah*” means side design of the Rupiah in which the image of the state emblem “Garuda Pancasila” is exist.

 Section (2)

 Self-explanatory

 Section (3)

 Self-explanatory

Article 8

“*certain marks*” means mark of which includes color, image, size, dimension, material of Rupiah, and other marks.

“*element of security*” means the elements of which includes the characteristic or mark that can be used by the blind.

Article 9

 Section (1)

 Self-explanatory

 Section (2)

“*coordinates*” means that Bank Indonesia notifies regarding on the technical specification and the characteristic of raw material of the Rupiah to the board of which coordinates the eradication of Counterfeit Rupiah, likewise the board of which coordinates the eradication of Counterfeit Rupiah provides feedbacks regarding on the security aspect of the raw material of the Rupiah to Bank Indonesia.

Article 10

 Self-explanatory

Article 11

 Section (1)

 Self-explanatory

 Section (2)

Term “*Coordinates*” as set forth in this section shall be for the purpose of notification and the exchange of information as the consideration.

Section (3)

 Self-explanatory

Section (4)

 Self-explanatory

Article 12

 Self-explanatory

Article 13

 Section (1)

Mean of “*coordinate*” shall be realized in the form of the exchange of information between Bank Indonesia and the Government, such as related to the assumption on level of inflation, the assumption on the growth of economy, plan on the kind and price of Rupiah, projection on the number of Rupiah to be printed, as well the number of damaging rupiah and Rupiah of which is retracted from the circulation.

Section (2)

 Self-explanatory

Article 14

 Section (1)

For the purpose of maintaining the security quality of the Rupiah, during the Printing of Rupiah, Bank Indonesia request for input from the board of which coordinating the eradication of Counterfeit Rupiah.

Section (2)

“*state owned enterprise*” means the state owned enterprise of which serves in the Rupiah printing.

Section (3)

“*not capable to implement the Rupiah Printing*” means inability due to force majeure and social disaster.

Section (4)

“*competitive price*” means the price whose limitation is determined under the provision of law and regulation on the procurement of goods and services.

Article 15

 Self-explanatory

Article 16

 Self-explanatory

Article 17

 Section (1)

Stipulation on the Revocation of Rupiah includes the provisions regarding on the expired date of Rupiah as the legal payment instrument and timeout of the exchange Rupiah to the banks, Bank Indonesia, or other party of which is appointed by Bank Indonesia.

Retraction of Rupiah includes the retraction for the purpose of Revocation and the replacement of which is damaging or shabby.

Section (2)

 Self-explanatory

Section (3)

 Self-explanatory

Section (4)

 Self-explanatory

Article 18

 Section (1)

“*Coordinates*” as set forth in this section shall be realized in the form of memorandum of understanding (MoU) between Bank Indonesia and the Government of which contains the technical implementation of the Extermination of Rupiah, including the minute Extermination of Rupiah.

Section (2)

 Self-explanatory

Section (3)

 Self-explanatory

Article 19

Term “*House of Representative*” refers to the instrument of the House of Representative of which serves the field of banking and financial.

Article 20

 Self-explanatory

Article 21

 Section (1)

 Point a

 Self-explanatory

 Point b

 Self-explanatory

 Point c

“other financial transactions” means of which includes the activities of depositing money in number and kind of denomination of Rupiah from the customer to the bank.

Section (2)

 Self-explanatory

Article 22

 Section (1)

 Self-explanatory

 Section (2)

 Self-explanatory

 Section (3)

“*Shabby Rupiah*” means Rupiah whose size and physical shape does not change of from its original size and physical shape, but its condition has changed such as due to fungus, oil, chemical material, or scratch.

Section (4)

 Self-explanatory

Article 23

 Self-explanatory

Article 24

 Self-explanatory

Article 25

 Section (1)

“to damage” means changing the shape of physical size from its original shape and size, such as burns, puncture, partially eliminates, or rips.

Section (2)

 Self-explanatory

Section (3)

 Self-explanatory

Article 26

 Self-explanatory

Article 27

 Self-explanatory

Article 28

 Self-explanatory

Article 29

 Section (1)

 Self-explanatory

 Section (2)

During providing the information and knowledge regarding on the originality of rupiah, Bank Indonesia could cooperate with the other party.

Section (3)

 Self-explanatory

Article 30

 Self-explanatory

Article 31

 Self-explanatory

Article 32

 Section (1)

 Self-explanatory

 Section (2)

For submitting and/ or opening the said electronic data, the investigator does so by providing its signature.

Section (3)

 Self-explanatory

Section (4)

 Self-explanatory

Article 33

 Self-explanatory

Article 34

 Self-explanatory

Article 35

 Self-explanatory

Article 36

 Self-explanatory

Article 37

 Self-explanatory

Article 38

 Self-explanatory

Article 39

 Self-explanatory

Article 40

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Article 41

 Self-explanatory

Article 42

 Self-explanatory

Article 43

 Self-explanatory

Article 44

 Self-explanatory

Article 45

 Self-explanatory

Article 46

 Self-explanatory

Article 47

 Self-explanatory

Article 48

 Self-explanatory

 SUPPLEMENT TO THE STATE GAZETTE OF THE REPUBLIC OF INDONESIA