



THE PRESIDENT
OF THE REPUBLIC OF INDONESIA

LAW OF THE REPUBLIC OF INDONESIA
NUMBER 8 YEAR 2010

REGARDING

COUNTERMEASURE AND ERADICATION OF MONEY LAUNDERING

BY GRACE OF THE GOD ALMIGHTY

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

- Consider :
- a. that Money Laundering is not only threaten the stability of economy and the integrity of financial system, but it also can endanger the essential values of the social life, nationhood and statehood based on Pancasila and the Constitution of the State of the Republic of Indonesia Year 1945;
 - b. that the prevention and countermeasure of the crime of Money Laundering requires a firm legal basis to ensure the legal certainty, effectiveness of legal enforcement, as well the search and return of the proceeds of crime Assets;
 - c. that Law Number 15 Year 2002 on the Crime of Money Laundering as has been amended with Law Number 25 Year 2003 requires to be adjusted with the growth of legal enforcement requirement, practice, and international standard, as result, it requires to be amended with the new one;
 - d. that based on the consideration as set forth in point a, point b, and point c above; it is required to enact Law on the Countermeasure and Eradication of the Crime of Money Laundering.

In the view of : Article 5 section (1) and Article 20 of the Constitution of the State of the Republic of Indonesia Year 1945;

With the joint approval of

THE HOUSE OF REPRESENTATIVE

and

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

BE IT HEREBY RESOLVED:

To enact : LAW ON THE COUNTERMEASURE AND ERADICATION OF MONEY LAUNDERING

CHAPTER I

GENERAL PROVISION

Article 1

The following definitions shall be applied in this Law:



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1. Money Laundering means any action that meets the elements of criminal action in accordance with the provision herein.
2. Financial Transaction Report and Analysis Center hereinafter is abbreviated to PPATK shall be the independent institution of which is established to prevent and to eradicate the crime of Money Laundering.
3. Transaction means all activities that results right and/ or obligation or that results the legal relation between two parties or more.
4. Financial Transaction means the transaction for performing or receiving the placement, payment, withdrawal, mutation, transfer, payment, grants, donation, deposit, and/ or the exchange on sum of money or action and/ or other activities in connection with money.
5. Suspicious Financial Transaction means:
 - a. Financial Transaction of which is diverging from its profile, characteristic, transaction pattern habits of the User in question;
 - b. Financial Transaction of which is made by the User that is reasonably suspected to be made for the purpose of avoiding the report of the Transaction in question of which is mandatory performed by the Reporting Party in accordance with the provision herein;
 - c. Financial Transaction of which is made or aborted to be made using Assets that are alleged comes from the criminal action; or
 - d. Financial Transaction of which is required by the PPATK to be reported by the Reporting Party due to involve the Assets that are alleged comes from the criminal action.
6. Cash Financial Transaction means the Financial Transaction of which is made using banknotes and/ or coins.
7. Examination means the process of problem identification, analysis, and evaluation of the Suspicious Financial Transaction of which is conducted independently, objectively, and professionally to examine the allegation of criminal action.
8. Examination Result means the final assessment from the overall process of problem identification, analysis, and evaluation of the Suspicious Financial Transaction is conducted independently, objectively, and professionally to be submitted to the Investigator.
9. Anyone shall be the individual or Corporation.
10. Corporation means group of people and/ or group of organized wealth, as either legal entity or non-legal entity.
11. Reporting Party means Anyone who under this Law shall be obliged to submit the report to the PPATK.
12. User means the party who uses the service of the Reporting Party.
13. Assets shall be all moving objects or non-moving objects, in as tangible objects or intangible objects, which are acquired directly or indirectly.
14. Corporation Control Personnel means anyone who possesses the power and authority to determine the corporation's policy or the authority to implement the corporation's policy in question without requiring authorization from their superior.
15. Conspiracy means the deed that made by two persons or more who agree to commit the criminal of Money Laundering.
16. Document means the data, tape, and information of which is visible, readable, and listenable, of which can be issued with or without the instruments, either of which is included in the paper or any physical objects other than paper or of which is recorded electronically, including but not limited to:
 - a. writing, sound, or image;
 - b. map, design, photo, and the equal;



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- c. letter, number, sign, or meaningful perforation of which is understandable by person who capable to read or to understand it.
17. Supervisory and Regulatory Agency shall be the agency that possesses the authority to supervise, to regulate, and/ or to impose the punishment to the Reporting Party.
18. Supervisory Compliance means the series activity of the Supervisory and Regulatory Agency as well PPATK to ensure the compliance of the Reporter Party on the report obligation under this Law, through issuing the provisions or guidelines of the report, performing compliance audit, observing the obligation of the report, and imposing the punishment.

Article 2

- (1) Result of the criminal action shall be the Assets acquired from the criminal actions as follow:
 - a. corruption;
 - b. bribery;
 - c. narcotic;
 - d. psychotropic;
 - e. labor smuggling;
 - f. immigrant smuggling;
 - g. criminal action in banking;
 - h. criminal action in capital market;
 - i. criminal action in insurance;
 - j. customs;
 - k. excise;
 - l. human trafficking;
 - m. trade of illegal fire arm;
 - n. terrorism;
 - o. kidnapping;
 - p. burglary;
 - q. embezzlement;
 - r. fraud;
 - s. money counterfeiting;
 - t. gambling;
 - u. prostituting;
 - v. criminal action in taxation;
 - w. criminal action in forestry;
 - x. criminal action in environment;
 - y. criminal action in marine and fishery;
 - z. other criminal actions of which is treated with the imprisonment for 4 (four) years or more.of which is committed in the territory of the Republic of Indonesia and in the outside of the territory of the Republic of Indonesia and such criminal action is the criminal action according to the Indonesian Law.
- (2) Assets of which are recognized or of which are reasonably alleged to be used and/ or directly or indirectly used for the terrorism activity, terrorism organization, or individual terrorism shall be equalized as the result of criminal action as set forth in section (1) point n above.

CHAPTER II

THE CRIMINAL ACTION OF MONEY LAUNDERING



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Article 3

Anyone, who places, transfers, forwards, spends, pays, grants, deposits, takes to the abroad, changes the form, changes to the currency or securities or other deeds towards the Assets of which are recognized or of which are reasonably alleged as the result of criminal action, as set forth in Article 2 section (1) with the purpose to hide or to disguise the origin of Assets, shall be subject to be sentenced due to the criminal action of Money Laundering with the imprisonment for no longer than 20 (twenty) years and fine for no more than Rp10.000.000.000, 00 (ten billion rupiah).

Article 4

Anyone, who hides, or disguises the origin, source, location, purpose, transfer of right or the truly ownership of the Assets that are known by him or of which are reasonably alleged as the result of criminal action, as set forth in Article 2 section (1), shall be subject to be sentenced due to the criminal action of Money Laundering with the imprisonment for no longer than 20 (twenty) years and fine for no more than Rp500.000.000.000, 00 (five hundred billion rupiah).

Article 5

- (1) Anyone, who accepts or who takes the control on placement, transfer, payment, grant, deposit, exchange, or utilizes the Assets of which are known by him or of which are reasonably alleged as the result of the criminal action, as set forth in Article 2 section (1), shall be subject to be sentenced with the imprisonment for no longer than 5 (five) years and fine for no more than Rp1.000.000.000, 00 (one billion rupiah).
- (2) Provision as set forth in section (1) above shall not be applicable for the Reporter Party who carries out the obligation of report as set forth herein.

Article 6

- (1) In the event that Corporation commits the criminal crime of Money Laundering as set forth in Article 3, Article 4, and Article 5, the sentence shall be subject to the Corporation and/ or Corporation Control Personnel.
- (2) Sentence shall be subject to the Corporation in the event that the criminal action of Money Laundering:
 - a. is committed or ordered by the Corporation Control Personnel;
 - b. is committed in the framework of the objectives and purposes of the Corporation;
 - c. is committed in according with the function of perpetrator or the person who give the order; and
 - d. is committed to give benefit for the Corporation.

Article 7

- (1) Primary sentence, which is sentenced to the Corporation, shall be the fine sentence for no more than Rp100.000.000.000, 00 (one hundred billion rupiahs).



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- (2) In addition, other than fine sentence as set forth in section (1) above, against the Corporation shall also be sentenced with additional sentence as follow:
- a. announcement of judge's verdict;
 - b. suspension on the overall or partial business activity of the Corporation;
 - c. revocation of the business license;
 - d. dissolution or restriction of the Corporation;
 - e. Confiscation of the Corporation's assets for the State; and/ or
 - f. Corporation takeover by the State.

Article 8

In the event the convict's Asset is insufficient to pay the fine sentence as set forth in Article 3, Article 4, and Article 5 above, such fine sentence shall be substituted with imprisonment sentence for no longer than 1 (one) year and 4 (four) months.

Article 9

- (1) In the event that the Corporation is incapable to pay fine sentence as set forth in Article 7 section (1), such fine sentence shall be substituted with the confiscation of Corporation's Assets or Corporation Control Personnel's Assets whose value is equal to the fine sentence verdict of which is imposed.
- (2) In the event that the selling of the confiscated Corporation's Assets as set forth in section (1) above is insufficient, the imprisonment sentence in lieu fine sentence shall be imposed to the Corporation Control Personnel with considering the paid fine.

Article 10

Anyone who are in or outside of the territory of the Unitary State of the Republic of Indonesia who participates in committing the attempts, assistances, or Conspiracy to commit criminal action of Money Laundering shall be subject to be sentenced with the equal sentence as set forth in Article 3, Article 4, and Article 5.

CHAPTER III

OTHER CRIMINAL ACTIONS OF WHICH ASSOCIATED WITH THE CRIMINAL ACTION OF MONEY LAUNDERING

Article 11

- (1) Officials or PPATK's employees, investigators, prosecuting attorneys, judges, and Anyone who obtain the Document or information during the implementation of the duty under this Law, shall be obliged to conceal such Document or information, unless for fulfilling the obligation under this Law.
- (2) Anyone who violates provision as set forth in section (1) above, shall be subject to be sentenced with imprisonment sentence for no longer than 4 (four) years.
- (3) Provision as set forth in section (1) above shall not be applicable for the officials or PPATK' employees, investigator, prosecuting attorney,



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and judge if it is implemented for fulfilling the obligation in accordance with the provision of law and regulation.

Article 12

- (1) Directors, commissioners, officials, or the Reporting Party's employee shall be prohibited to notify the User or the other party, either directly or indirectly, in whatsoever manners regarding on the Suspicious Financial Report of which is being prepared or has been submitted to the PPATK.
- (2) Provision regarding with the prohibition as set forth in section (1) above shall not be applicable for the provision of the information to the Supervisory and Regulatory Agency.
- (3) Officials or PPATK or Supervisory and Regulatory Agency's employees shall be prohibited to notify the Suspicious Financial Transaction of which will be reported or of which has been reported to PPATK, directly or indirectly in whatsoever manners to the User or other parties.
- (4) Provision regarding on the prohibition as set forth in section (3) shall not be applicable for the fulfilling of obligation in accordance with this Law.
- (5) The violation against provisions as set forth in section (1) and section (3) shall be subject to be sentenced with imprisonment sentence for no longer than 5 (five) years and fine sentence for no more than Rp1.000.000.0000, 00 (one billion rupiahs).

Article 13

In the event that the convict is incapable to pay the fine sentence as set forth in Article 12 section (5), such fine sentence shall be substituted with the imprisonment sentence for no longer than 1(one) year 4 (four) months.

Article 14

Anyone who interferes the implementation of PPATK's duty and authority as set forth in Article 37 section (3) shall be subject to be sentenced with imprisonment sentence for no longer than 2 (two) years and fine sentence for no more than Rp500.000.000, 00 (five hundred million rupiahs).

Article 15

Officials or PPATK's employees who violate the obligation as set forth in Article 37 section (4) shall be subject to be sentenced with imprisonment sentence for no longer than 2 (two) years and fine sentence for no more than Rp500.000.000, 00 (five hundred million rupiahs).

Article 16

In the event that the officials or PPATK's employees, investigators, prosecuting attorneys, and judges, who are handling the case criminal action of Money Laundering, violating the provision as set forth in Article 83 section (1) and/ or Article 85 section (1), shall be subject to be sentenced with imprisonment sentence for no longer than 10 (ten) years.

CHAPTER III

REPORTING AND COMPLIANCE MONITORING

Part First



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The Reporter Party

Article 17

- (1) The Reporting Party includes as follow:
 1. bank;
 2. finance company;
 3. insurance company and insurance broker company;
 4. financial institution pension fund;
 5. securities company;
 6. investment manager;
 7. custodian;
 8. trustee;
 9. postal service as the current account service provider
 10. trader of foreign currency;
 11. card-basis payment device service provider;
 12. e-money and/ or e-wallet service provider;
 13. cooperation that performs activity of saving and loan;
 14. pawn shop;
 15. company that runs in the field of commodity future trading;or
 16. remittance service provider.
- (2) Provider of goods and/ or other services:
 1. property company/ property agent;
 2. motor vehicle dealers;
 3. gems, jewelry, and precious metal dealers;
 4. antique and artistic stuff dealers; or
 5. auction house.
- (3) Provision regarding on the Reporting Party other than as set forth in section (1) above, shall be set with the Government Regulation.

Part Second

Application of the Principle of Know the User

Article 18

- (1) The Supervisory and Regulatory Agency stipulates the principle of Know the User.
- (2) The Reporting Party shall be obliged to apply the principle of Know the User of which is stipulated by the Supervisory and Regulatory Agency as set forth in section (1).
- (3) The obligation to apply the principle of Know the User as set forth in section (2) above, shall be applied during:
 - a. performing business relationship with the User;
 - b. there is the Suspicious Financial Transaction using Rupiah and/ or foreign currency whose value at least or equal to Rp100.000.000, 00 (one hundred million rupiahs).
 - c. there is the Suspicious Financial Transaction of which is associated with the criminal action of Money Laundry and the criminal action of financing terrorism; or
 - d. the Reporting Party questions information provided by the User.
- (4) The Supervisory and Regulatory Agency shall be obliged to implement the supervision towards the compliance of the Reporting Party in applying the principle of Know the User.
- (5) The principle of Know the User at least includes:



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- a. User identification;
 - b. User verification; and
 - c. performing monitoring to the User's transaction.
- (6) In the event that the Supervisory and Regulatory Agency has not been available, the provision regarding on the principle of Know the User and its supervision shall be set with the Regulation of the Chairman of PPATK.

Article 19

- (1) Anyone who performs transaction with the Reporting Party shall be obliged to provide the correct identity and information of which are required by the Reporting Party and at least includes personal identity, source of fund, and purpose of the Transaction through filling the form of which is provided by the Reporting Party and attaching the supporting Document.
- (2) In the event that such Transaction is made for the other party, Anyone as set forth in section (1) shall be obliged to provide information regarding on the personal identity, source of fund, and purpose of the Transaction of the other party in question.

Article 20

- (1) The Reporting Party shall be obliged to know that the User who performs the Transaction with the Reporting Party is acting for him/herself or for and on behalf of the other.
- (2) In the event that the Transaction is made for him/ herself or for and on behalf of the other, the Reporting Party shall be obliged to request for the information regarding on the identity and supporting Document from the User and the other in question.
- (3) In the event that the identity and/ or supporting Document of which is provided as set forth in section (2) is incomplete, the Reporting Party shall be obliged to refuse the Transaction with such person.

Article 21

- (1) Identity and supporting Document of which is requested by the Reporting Party should be in accordance with the provision of law and regulation of which is stipulated by the respective Supervisory and Regulatory Agency.
- (2) The Reporting Party shall be obliged to keep the record and Document regarding on the identity of the perpetrator of Transaction at least 5 (five) years since the end of business relationship with the User in question.
- (3) The Reporting Party, who neglects the obligation as set forth in section (2) above, shall be punished in accordance with the provision of the law and regulation.

Article 22

- (1) Financial service provider as set forth in Article 17 section (1) point a, shall be obliged to terminate the business relationship with the User in the event that:
 - a. the User refuses to apply the principle of Know the User; or
 - b. the financial service provider questions the validity of the information provided by the User.



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- (2) The financial service provider as set forth in section (1) shall be obliged to report to the PPATK regarding on such business relationship termination as the Suspicious Financial Transaction.

Part Third

Report

Paragraph 1

The User

Article 23

- (1) The financial service provider as set forth in Article 17 section (1) point a, shall be obliged to report to the PPATK of which includes:
 - a. Suspicious Financial Transaction;
 - b. Cash Financial Transaction in sum of Rp500.000.000, 00 or in foreign currency whose value is equal, which is made in single-time Transaction or in several-time Transaction within 1 (one) working day; and/ or
 - c. fund transfer Financial Transaction from and/ or to the abroad.
- (2) The change on the amount of Cash Financial Transaction as set forth in section (1) point b above shall be stipulated with the Decree of the Chairman of PPATK.
- (3) The amount of fund transfer Financial Transaction of which is obliged to be reported, as set forth in section (1) point c above shall be set with the Regulation of the Chairman of PPATK.
- (4) Report obligation towards the Cash Financial Transaction as set forth in section (1) point b shall be excluded towards:
 - a. Financial Transaction of which is made between the financial service provider and the central bank and the government;
 - b. Transaction for the payment of salary and pension; and
 - c. other Transaction of which is stipulated by the Chairman of PPATK or upon the request of the financial service provider that is agreed by the Chairman of PPATK.
- (5) Report obligation as set forth in section (1) point b shall not be applicable for the excluded Transaction.

Article 24

- (1) The financial service provider shall be obliged to make and store list of the excluded Transaction as set forth in Article 23 section (4).
- (2) The financial service provider who does not make and store list of the excluded Transaction as set forth in section (1) above shall be subject to the administrative penalty.

Article 25

- (1) The submission of the report of Suspicious Financial Transaction as set forth in 23 section (1) point a, shall be performed as soon as possible after the financial service provider knows the presence of elements of Suspicious Financial Transaction.
- (2) The submission of Cash Financial Transaction as set forth in Article 23 section (1) point b, shall be performed within no longer than 14 (fourteen) working days after the date of Transaction.



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- (3) The submission of fund transfer Financial Transaction as set forth in Article 23 section (10) point c, shall be performed within no longer than 14 (fourteen) working days after the date of Transaction.
- (4) The financial service provider who does not submit the report to the PPATK as set forth in section (1), section (2), and section (3), shall be subject to the administrative penalty.
- (5) Further provision regarding on the form, type, and the submission procedures of the report as set forth in section (1), section (2), and section (3) shall be set with the Regulation of the Chairman of PPATK.

Article 26

- (1) The financial service provider could postpone the Transaction at no longer than 5 (five) working days since the postponement of Transaction is occurred.
- (2) The postponement of Transaction as set forth in section (1) above shall be performed in the event that the User:
 - a. performs the Transaction of which is reasonably alleged using Assets of which come from the criminal action as set forth in Article 2 section (1);
 - b. has account to gather Assets of which come from the criminal action as set forth in Article 2 section (1); or
 - c. is known and/ or is reasonably alleged using fake Document.
- (3) The postponement as set forth in section (1) above shall be recorded in the minute of postponement of Transaction.
- (4) The financial service provider provides the copy of minute of postponement of Transaction to the User.
- (5) The financial service provider shall be obliged to report the postponement of the Transaction to PPATK through attaching the minute of postponement of Transaction within no longer than 24 (twenty-four) hours since postponement of Transaction is occurred.
- (6) After receiving the report on the postponement of Transaction as set forth in section (5) above, PPATK shall be obliged to ensure that the implementation of the Transaction postponement is implemented in according with this Law.
- (7) In the event that the postponement of Transaction is performed until the fifth working day, the financial service provider should decide to implement or to refuse the Transaction.

Paragraph 2

Goods and/ or Service Provider

Article 27

- (1) The goods and/ or service provider as set forth in Article 17 section (1) point b, shall be obliged to submit the report of Transaction that is performed by the User using currency of Rupiah and/ or foreign currency whose value is at least or the equal to Rp500.000.000, 00 (five hundred million rupiahs) to PPATK.
- (2) Transaction report as set forth in section (1) above, shall be submitted within 14 (fourteen) working days since the Transaction is occurred.
- (3) The goods and/ or services provider who does not submit the Transaction report as set forth in section (1) and section (2), shall be subject to the administrative penalty.



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Paragraph 3

Implementation and Report Responsibility

Article 28

The implementation of report obligation by the Reporting Party shall be excused from the provision on confidentiality of which is applicable for the Reporting Party in question.

Article 29

Unless there are the elements of the abuse of authority, the Reporting Party, officials, and its employees could not be prosecuted, either civil or criminal, upon the implementation of report obligation in accordance with this Law.

Article 30

- (1) The imposition of administrative penalty as set forth in Article 25 section (4) and Article 27 section (3) shall be implemented by the Supervisory and Regulatory Agency in accordance with the provision of the law and regulation.
- (2) In the event that the Supervisory and Regulatory Agency has not been established, the imposition of administrative penalty against the Reporting Party shall be implemented by PPATK.
- (3) Administrative penalty of which is imposed by PPATK as set forth in section (2) above, could be in the form of:
 - a. warning;
 - b. written warning;
 - c. announcement to the public regarding on the action and/ or penalty; and/ or
 - d. administrative fine.
- (4) The revenue from administrative fine, as set forth in section (3) point d, shall be declared as the Non-Tax State Revenue in accordance with the provision of law and regulation.
- (5) Further provision regarding on the procedures on the imposition of administrative penalty as set forth in section 3 shall be set with the Regulation of the Chairman of PPATK.

Part Fourth

Compliance Supervision

Article 31

- (1) Compliance Supervision towards the report obligation for the Reporting Party, as set forth in Article 17 section (1), shall be implemented by the Supervisory and Regulatory Agency and/ or PPATK.
- (2) In the event that the Compliance Supervision towards the report obligation as set forth in section (1) above or the Supervisory and Regulatory Agency has not been established, the Compliance Supervision towards the report obligation shall be implemented by PPATK.
- (3) The implementation result of the Compliance Supervision of which is implemented by the Supervisory and Regulatory Agency as set forth in section (1) shall be submitted to PPATK.



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- (4) Procedures of the implementation of Compliance Supervision, as set forth in section (1) and section (2), shall be set by the Supervisory and Regulatory Agency and/ or PPATK in accordance with its authority.

Article 32

In the event that the Supervisory and Regulatory Agency finds the Suspicious Financial Transaction of which is not reported by the Reporting Party to PPATK, the Supervisory and Regulatory Agency immediately submits such finding to PPATK.

Article 32

The Supervisory and Regulatory Agency shall be obliged to notify the PPATK on each activity or Suspicious Financial Transaction of which is known or of which is reasonably alleged to be committed directly or indirectly with the purpose for performing criminal action of Money Laundering as set forth in Article 3, Article 4, and Article 5.

CHAPTER V

TRANSPORTING CASH AND OTHER PAYMENT INSTRUMENT TO THE INSIDE OR OUTSIDE OF THE CUSTOMS AREA

Article 33

- (1) Anyone who transports cash in the currency of Rupiah and/ or foreign currency, and or other payment instrument in the form of check, traveler check, promissory note to pay, bank draft at least Rp100.000.000, 00 (one hundred million rupiahs) or the equal, into the inside or to the outside of the Customs Area, shall be obliged to be notified to the Directorate General of Customs.
- (2) The Directorate General of Customs shall be obliged to make report on the transportation of cash and/ or other payment instrument as set forth in section (1) and submits to the PPATK within no longer than 5 (five) working days since the notification is received.
- (3) PPATK could request additional information from the Directorate General of Customs regarding on the transportation of cash and/ or other payment instrument as set forth in section (1).

Article 35

- (1) Anyone who does not report the transportation of cash and/ or other payment instrument as set forth in Article 34 section (1) above, shall be subject to administrative penalty in the form of fine as much as 10% (ten percent) from the overall amount of the transported cash and/ or other payment instrument with the maximum amount Rp300.000.000, 00 (three hundred million rupiahs).
- (2) Anyone who has notified the transportation of cash and/ or other payment instrument as set forth in Article 34 section (1), but amount of the transported cash and/ or other payment instrument is larger than the amount of which has been notified, shall be subject to the administrative penalty in the form of fine as much as 10% (ten percent) from the excess amount of the transported cash and/ or the other payment instrument with the maximum amount as much as Rp300.000.000.000, 00 (three hundred million rupiahs).



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- (3) Administrative penalty as set forth in section (1) and section (2) of which is associated with the transportation of cash could be taken directly from the transported cash and shall be deposited to the State's treasury by the Directorate General of Customs.
- (4) Directorate General of Customs should make the report on the imposition of administrative penalty as set forth in section (1) and section (2) and submits it to PPATK within no longer than 5 (five) working days since administrative penalty is imposed.

Article 36

Further provision regarding on the notification procedures on the transportation of cash and/ or other payment instrument, imposition of administrative penalty, and depositing to the state's treasury as set forth in Article 34 and Article 35 shall be set with the Government Regulation.

CHAPTER VI

FINANCIAL TRANSACTION REPORT AND ANALYSIS CENTER

Part First

Status

Article 37

- (1) During performing its duty and authority, PPATK shall be independent and free from intervention and influence any power.
- (2) PPATK shall be responsible to the President.
- (3) Anyone shall be prohibited to perform intervention whatsoever towards the implementation of duty and authority of PPATK.
- (4) PPATK shall be obliged to refuse and/ or to neglect intervention whatsoever from the parties whatsoever in the framework of implementing its duty and authority.

Article 38

- (1) PPATK shall be domiciled at the Capital City of the Unitary State of the Republic of Indonesia.
- (2) In the event that it is required, PPATK could open representative office in the region.

Part Second

Duty, Function, and Authority

Article 39

The duty of PPATK shall be to prevent and to eradicate the criminal action of Money Laundering.

Article 40

During performing its duty as set forth in Article 39 above, PPATK has the functions as follow:

- a. prevention and eradication of the criminal action of Money Laundering;



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- b. management of data and information of which are acquired by PPATK;
- c. supervision against the Reporter Party's compliance; and
- d. analysis and examination of the report and information of Financial Transaction of which indicates the criminal action of Money Laundry and/ or other criminal action as set forth in Article 2 section (1).

Article 41

- (1) During performing the function of prevention and eradication of the criminal action of Money Laundering as set forth in Article 40 point a, PPATK shall be authorized as follow:
 - a. requesting and obtaining data and information from the government institution and/ or private institution of which has authority to manage data and information, including from the government institution and/ or private institution of which receives report from the certain profession;
 - b. stipulating the identification standard of Suspicious Financial Transaction;
 - c. coordinating the effort of prevention against the criminal action of Money Laundering with the related institution;
 - d. providing recommendation to the Government on the effort of the prevention of the criminal action of Money Laundering;
 - e. representing the Government of the Republic of Indonesia in the organization and international forum of which associated with the prevention of the criminal action of Money Laundering;
 - f. organizing the educational and training of anti-Money Laundering program; and
 - g. organizing the socialization program of the prevention of the criminal action of Money Laundering.
- (2) The submission of data and information from the government institution and/ or private institution to PPATK shall be excluded from the provision of confidentiality.
- (3) Further provision regarding on the submission data and information from the government institution and/ or private institution to PPATK as set forth in section (1) point a, shall be set with the Government Regulation.

Article 42

During implementing the function of management data and information as set forth in Article 40 point b, PPATK shall be authorized to organize the information system.

Article 43

During implementing the function of supervision against the Reporting Party's compliance as set forth in Article 40 point c, PPATK shall be authorized as follow:

- a. stipulating the provisions and procedure guidelines of the report for the Reporting Party;
- b. stipulating the category of User who potentially commits the criminal action of Money Laundering;
- c. conducting compliance audit or special audit;
- d. submitting the result of audit to the institution of which is authorized to perform supervision against the Reporting Party;



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- e. submitting the warning to the Reporting Party who violates the report obligation;
- f. providing the recommendation to the institution of which is authorized to revoke business license of the Reporting Party; and
- g. stipulating the provision of the implementation of principle of Know the User for the Reporting Party of which does not possess the Supervisory and Regulatory Agency.

Article 44

- (1) During performing the function of analysis or examination report and information as set forth in Article 40 point d, PPATK shall be authorized as follow:
- a. requesting and receiving report and information from the Reporting Party;
 - b. requesting for the information to the institution or the related parties;
 - c. requesting for the information to the Reporting Party based on the development the analytical result;
 - d. requesting for the information to the Reporting Party based on the request from the law enforcement institution or its foreign partner;
 - e. forwarding the information and/ or the analytical result to the applicant institution, either in the domestic or abroad;
 - f. receiving the report and/ or information from the public concerned with the allegation of the criminal action of Money Laundering;
 - g. requesting for the explanation from the Reporting Party and other party of which is associated with the allegation of the criminal action of Money Laundering;
 - h. recommending the law enforcement institution on the importance of interception or tapping against electronic information and/ or electronic document in accordance with the provision of law and regulation;
 - i. requesting the financial service provider to fully or partially discontinue the Transaction of which is known or of which is suspected as the result of criminal action;
 - j. requesting for the information of investigation progress and investigation of which is conducted by the investigator the origin criminal action and the criminal action of Money Laundering;
 - k. implementing the other administrative activity within the scope of duty and responsibility in accordance with the provision of law and regulation; and
 - l. forwarding the analysis result or examination to the investigation.
- (2) Financial service provider, as set forth in section (1) point i, should immediately follow up after receiving the request from PPATK.

Article 45

During implementing its authority, as set forth herein, towards PPATK shall not be applicable the provision of law and regulation, and ethics code of which set the confidentiality.

Article 46



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Further provision regarding on the implementing procedures on the authority of PPATK shall be set with the President Regulation.

Part Third

Accountability

Article 47

- (1) PPATK makes and submits its report of the implementation of duty, function, and authority periodically at every 6 (six) months.
- (2) Report as set forth in section (1) above shall be submitted to the President and the House of Representative.

Part Fourth

Organizational Structure

Article 48

Organizational structure of the PPATK consists of:

- a. chairman;
- b. vice-chairman;
- c. other structural positions; and
- d. functional structure.

Article 49

- (1) Chairman of PPATK as set forth in Article 48 point a, represents PPATK in the inside or in the outside of the court.
- (2) Chairman of PPATK could delegate the authority to represent as set forth in section (1) to the vice-chairman of PPATK, one or several employees of PPATK and/ or other party who is specially appointed to do so.

Article 50

Chairman of the PPATK shall be the person in charge who leads and control the implementation of duty, function, and authority of PPATK.

Article 51

In order to be eligible to be appointed as the Chairman of PPATK or Vice-Chairman of PPATK, a candidate should meet requirements as follow:

- a. Indonesian citizen;
- b. age at least 40 (forty) years old and no more than 60 (sixty) years old at the appointment;
- c. physically and mentally healthy;
- d. piety, honest, justice, and possess good personal integrity;
- e. possessing one of the skills in the field of economy, accounting, finance, or law, and experienced at least 10 (ten) years;
- f. not a leader of the political party;
- g. ready to provide information regarding on the list of Assets;
- h. does not concurrently the position and occupation; and



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- i. never sentenced with imprisonment sentence.

Article 52

- (1) Vice-Chairman of PPATK assigned to assist the Chairman of PPATK.
- (2) During performing its duty as set forth in section (1) above, Vice-Chairman of PPATK shall be responsible to the Chairman of PPATK.
- (3) In the event that the Chairman of PPATK is absence, the Vice-Chairman of PPATK shall be responsible to lead and to control the implementation of duty, function, and authority of PPATK.

Article 53

Chairman and Vice-Chairman of PPATK as set forth in Article 48 point a and point b, shall be appointed and terminated by the President.

Article 54

- (1) Prior taking office, Chairman and Vice-Chairman of PPATK shall be obliged to take an oath or pledge in accordance with their religion and belief before the President.
- (2) Oath and pledge as set forth in section (1) above, shall be as follow:
“I do solemnly swear that I, to be the Chairman/ Vice-Chairman of the PPATK directly or indirectly in the name of whatsoever reasons will not provide or promise to provide anything to whosoever”.

“I do solemnly swear that I, during performing or does not performing anything in this position will not directly or indirectly receive a promise or gift in whatsoever form from whosoever”.

“I do solemnly swear that I, that I will conceal matters of which is in according with the provision of law and regulation shall be obliged to be concealed to whatsoever party”

“I do solemnly swear that I will perform my duty as the Chairman/ Vice-Chairman of the PPATK as well and full of sense of responsibility”

“I do solemnly swear that I will be loyal to the state, constitution, and the applicable law and regulation”.

Article 55

Chairman and Vice-Chairman of PPATK take office for 5 (five) years and could be reappointed for 1 (one) subsequent term of office.

Article 56

Position of the Chairman or Vice-Chairman of the PPATK will be terminated in the event that:

- a. passed away;
- b. resign;
- c. term of office ends; and
- d. dismissed.

Article 57

- (1) The dismissal of the Chairman or the Vice-Chairman of PPATK as set forth in Article 56 point d, shall be implemented in the event that:



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- a. having domicile in the outside of the territory of the Unitary State of the Republic of Indonesia;
 - b. loss of citizenship as Indonesian citizen;
 - c. suffering continuous ill of which requires more than 3 (three) month for healing of which is not allowed to perform the duty;
 - d. sentenced with the imprisonment sentence based on the court ruling has permanent legal power;
 - e. concurrently position;
 - f. declared bankruptcy by the court; or
 - g. violating oath or pledge of the office.
- (2) In the event that the Chairman and/ or Vice-Chairman of PPATK becomes the defendant of the criminal crime of which associated with their abuse of office, Chairman and/ or Vice-Chairman of the PPATK shall be dismissed temporary from his/ her office.
- (3) In the event that the demand against the Chairman and/ or the Vice-Chairman of PPATK to be the defendant is declared unproven based on the court ruling of which has obtained permanent legal power, their position shall be restored.
- (4) The dismissal, as set forth of section (1) and section (2) shall be stipulated by the President.

Article 58

- (1) Chairman and Vice-Chairman of PPATK shall be entitled to obtain revenue, other entitlement, reward, and facilities.
- (2) Further provision regarding on the revenue, other entitlement, reward, and facilities for the Chairman and Vice-Chairman of PPATK shall be set with the Government Regulation.

Article 59

Chairman of PPATK could appoint the expert staff for no more than 5 (five) persons to provide considerations concerned with certain problems in accordance with the respective skill.

Article 60

Further provision regarding on the organizational structure and the procedures of PPATK's performance shall be set with the President Regulation.

Part Fifth

Human Resources Management

Article 61

The Chairman of PPATK shall be the personnel supervisor officer in the PPATK environment.

Article 62



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- (1) The Chairman of PPATK as the personnel supervisor officer organizes the human resources management of the PPATK of which includes planning, promotion, mutation, development, dismissal, and the provision of remuneration.
- (2) Organization of the human resources management of the PPATK, as set forth in section (1) above, shall be prepared and implemented based on the principle of meritocracy.
- (3) Further provision regarding on the human resources management of PPATK as set forth in section (3) above, shall be set with the Government Regulation.

Part Sixth

Finance

Article 63

Expense for the implementation of PPATK's duty shall be borne to the State Revenue and Expenditure Budget.

CHAPTER VII

EXAMINATION AND TEMPORARY TERMINATION OF TRANSACTION

Article 64

- (1) PPATK conducts examination against the Suspicious Financial Transaction associated with the indication of the criminal action of Money Laundering or other criminal action.
- (2) In the event that the indication on the criminal action of Money Laundering or other criminal action is found, PPATK submits the Examination Result to the investigator to conduct investigation.
- (3) During conducting investigation as set forth in section (2) above, the investigator makes coordination with the PPATK.

Article 65

- (1) PPATK could request the financial service provider to temporarily discontinue overall or partial Transaction as set forth in Article 44 section (4) point i.
- (2) In the event that the financial service provider fulfills the request of PPATK as set forth in section (1), the implementation of temporary discontinue shall be recorded in the minute of temporary discontinuity of Transaction.

Article 66

- (1) The temporary discontinuity of Transaction as set forth in Article 65 section (1) above, shall be implemented within no longer than 5 (five) working days after receiving the minute of temporary discontinuity of Transaction.
- (2) PPATK could extend the temporary discontinue of Transaction as set forth in section (1) within no longer than 15 (fifteen) working days to complete the analysis report or examination of which will be submitted to the investigator.

Article 67



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- (1) In the event that there is no one/ or the third party who proposes for the objection within 20 (twenty) days since the date of temporary discontinuity of Transaction, PPATK submits the handling of Assets of which are known or are reasonably alleged the result of criminal crime to the investigator to be investigated.
- (2) In the event that the alleged as perpetrator of the criminal crime is not found within 30 (thirty) days, the investigator could propose to the local court to decide such Assets as the State's treasury or returned to the entitled person.
- (3) The Court as set forth in section (2) should decide within 7 (seven) days.

CHAPTER VIII

INVESTIGATION, PROSECUTION, AND EXAMINATION

IN THE TRIAL

Part First

General

Article 68

The investigation, prosecution, and examination in the trial as well the implementation the court ruling that has been obtained the permanent legal power against the criminal action, as set forth herein, shall be implemented in accordance with the provision of law and regulation, unless otherwise stipulated herein.

Article 69

In order to be eligible for conducting the investigation, prosecution, and examination in the trial against the criminal action of Money Laundry, prior it is shall not be obliged to evidence the origin criminal action.

Article 70

- (1) The investigator, prosecuting attorney, or the judge shall be authorized to request the Reporting Party to perform the postponement of Transaction of which is known or of which is reasonably alleged as the result of criminal action.
- (2) The order of investigator, prosecuting attorney, or judge as set forth in section (1), shall be implemented in written and clearly included regarding on matters as follow:
 - a. name and designation of the person who order the postponement;
 - b. identity of Anyone whose Transaction will be postponed;
 - c. reason of Transaction postponement; and
 - d. place at which the Assets are.
- (3) The postponement of Transaction as set forth in section (1) shall be implemented within no longer than 5 (five) working days.
- (4) The Reporting Party shall be obliged to implement the postponement of Transaction after the warrant/ requesting letter for the postponement of Transaction is received from the investigator, prosecuting attorney, or the judge.



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- (5) The Reporting Party shall be obliged to submit the minute of implementation of the Transaction postponement at no longer than 1 (one) business day after the implementation of Transaction postponement.

Article 71

- (1) The investigator, prosecuting attorney, or judge shall be authorized to order the Reporting Party to block the Assets of which are known or of which are reasonably alleged as the result of criminal action:
- from everyone who has been reported by PPATK to the investigator;
 - from the suspect; or
 - from the defendant.
- (2) The order of investigator, prosecuting attorney, or judge as set forth in section (1), shall be implemented in written and clearly included regarding on matters as follow:
- name and designation of the investigator, persecuting attorney, or judge;
 - identity of Anyone who has been reported by PPATK to the investigator;
 - reason for the blocking; and
 - place at which the Assets are.
- (3) The blocking as set forth in section (1) above, shall be performed within no longer than 30 (thirty) business days.
- (4) In the event that the blocking period as set forth in section (3) ends, the Reporting Party shall be obliged to end the blocking by law.
- (5) The Reporter Party shall be obliged to implement the blocking shortly after receiving warrant of blocking from the investigator, persecuting attorney, or judge.
- (6) The Reporting Party shall be obliged to submit the minute of blocking implementation to the investigator, persecuting attorney, or judge who orders the blocking within no longer than 1 (one) day since the blocking implementation.
- (7) The blocked Assets should be remain in the Reporting Party in question.

Article 72

- (1) For the purpose of interest of the examination of the case of criminal action of Money Laundering, the investigator, persecuting attorney, or judge shall be authorized to request the Reporting Party to provide the written explanation regarding on the Assets:
- from Anyone who has been reported by PPATK to the investigator;
 - from the suspect; or
 - from the defendant.
- (2) During requesting the explanation as set forth in section (1), for the investigator, persecuting attorney, or judge shall not be applicable the provision on the bank confidentiality and other confidentiality of Financial Transaction.
- (3) The order of investigator, prosecuting attorney, or judge as set forth in section (1), shall be implemented in written and clearly included regarding on matters as follow:
- name and designation of the investigator, persecuting attorney, or judge;



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- b. identity of Anyone who is indicated from the analysis result or PPATK's examination, suspect, or defendant;
 - c. description in a brief regarding on the alleged/ charged criminal action ; and
 - d. place at which the Assets are.
- (4) Request as set forth in section (3) above, should be attached with:
- a. police report and warrant of investigation;
 - b. appointment letter as the persecuting attorney; or
 - c. determination letter of the judge.
- (5) Requesting letter to obtain explanation as set forth in section (1) and section (3) above, should be signed by:
- a. chief of the Indonesian National Police or chief of Provincial Police Command in the event that the request is proposed by the investigator of the Indonesian National Police;
 - b. head of institution or agency or commission in the event that the request is proposed by the investigator other than the Indonesian National Police;
 - c. attorney general in the event that the request is proposed by the prosecutor investigating/ or prosecuting attorney; or
 - d. head of the panel judge who examines the concerned case.
- (6) Requesting letter as set forth in section (5) shall be copied to PPATK.

Article 73

The legal items of evidence in the verification of the criminal action of Money Laundry are:

- a. items of evidence as set forth in the criminal procedure law; and/ or
- b. other items of evidence in the form of the spoken, transmitted, received, or stored information electronically with optic device or the equal and Document.

Part Second

Investigation

Article 74

The investigation for the criminal action of Money Laundering shall be conducted by the investigator of the origin criminal action in accordance with the provision of the criminal procedures law and the provision of law and regulation, unless otherwise stipulated herein.

Article 75

In the event that the investigator find the sufficient initial evidence on the presence of the criminal action of Money Laundering and the origin criminal action, the investigator combines the criminal action of Money Laundering and the origin criminal action and notifies to PPATK.

Part Third

Prosecution

Article 76

- (1) The prosecuting attorney shall be obliged to submit the file of the case of criminal action of Money laundering to the district court within no



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longer than 30 (thirty) working days since the file of the case is received of which is declared complete.

- (2) In the event that the prosecuting attorney has submitted the file of case to the district court, as set forth in section (1) above, the chief of district court shall be obliged to establish the panel of judges for such case within no longer than 3 (three) working days since such file of case is received.

Part Fourth

Examination at the Trial

Article 77

For the interest of the examination in the trial, the defendant shall be obliged to evidence that his/ her Assets is not the result of criminal action.

Article 78

- (1) When the examination in the trial as set forth in Article 77 above, the judge orders the defendant in order to evidence that his/ her Assets are not from or are not associated with the criminal action as set forth in Article 2 section (1).
- (2) The defendant evidences that his/ her Assets are not from or are not associated with the criminal action as set forth in Article 2 section (1) through proposing the sufficient items of evidences.

Article 79

- (1) In the event that the defendant has been legally and reasonably invited, is absence in the trial without legal reasons, the case could be examined and decided without the presence of the defendant.
- (2) In the event that the defendant is presence in the subsequence trial before the verdict is decided, the defendant shall be obliged to be examined and all explanation of the witness and letters of which are read in the previous trial shall be considered as of which are currently spoken.
- (3) The verdict of which is decided without the presence of the defendant, shall be announced by the prosecuting attorney on the court notice board, office of local administrative, or notified to his/ her lawyer.
- (4) In the event that the defendant passed away before the verdict is decided and there are the evidence of which strong enough that the defendant has committed the criminal action of Money Laundering, upon the demand of prosecuting attorney the judge decides to perform confiscation against the asset confiscated.
- (5) The establishment of confiscation as set forth in section (4) could not be applied of legal effort.
- (6) Anyone with an interest can apply for the objection the court of which has decided the establishment as set forth in section (5) above, within 30 (thirty) days since the announcement date as set forth in section (3).

Article 80

- (1) In the event that the judge decides the verdict as set forth in Article 79 section (3), the defendant could apply for the appeal.



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- (2) The application for appeal as set forth in section (1) should be made directly by the defendant within 7 (seven) days after the verdict is spoken.

Article 81

In the event that it is obtained the evidence that strong enough that there is still the Asset of which have not been confiscated, the judge orders the persecuting attorney to perform the confiscation against the Assets in question.

Article 82

In the event that the criminal action is committed by the Corporation, summon shall be delivered to the officials, in the residence of the officials or place at which the officials take office.

CHAPTER IX

PROTECTION FOR THE REPORTER AND WITNESS

Article 83

- (1) The officials and employees of PPATK, investigator, prosecuting attorney, or judge shall be obliged to conceal the Reporting Party and reporter.
- (2) Violation against provision, as set forth in section (1) above, entitles the reporter or the heir(s) to demand indemnity through the court.

Article 84

- (1) Anyone who reports the allegation of the criminal crime of Money Laundering shall be entitled to be provided special protection by the state from the possibility threat(s) of which is endanger their self, life, and/ or their assets, including their family.
- (2) Provision regarding on the provision special protection, as set forth in section (1) above, shall be set in the law and regulation.

Article 85

- (1) In the trial, the witness, prosecuting attorney, judge, and other people who associated with the criminal action of Money Laundering, who are in the examination shall be prohibited to mention the name of reporter or other matters that possibly disclose the identity of reporter.
- (2) In every trial, before the hearing is commenced, the judge shall be obliged to remind the witness, prosecuting attorney, and other people of which associated with the hearing of such case regarding on the prohibition as set forth in section (1) above.

Article 86

- (1) Anyone who testifies in the hearing of the criminal crime of Money Laundering shall be entitled to be provided special protection by the state from the possibility threat(s) of which is endanger their self, life, and/ or their assets, including their family.
- (2) Provision regarding on the provision special protection, as set forth in section (1) above, shall be set in the law and regulation.



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Article 87

- (1) The reporter and/ or witness could not be prosecuted in either civil or criminal due to the report and/ or the testimony of which is provided by them.
- (2) The witness who provides fake testimony on oath shall be subject to the sentenced in accordance with the provision of the Book of Criminal Law.

CHAPTER X

THE PARTNERSHIP IN PREVENTION AND ERADICATION OF THE CRIMINAL ACTION OF MONEY LAUNDERING

Article 88

- (1) National partnership of which is conducted by PPATK with the related party, shall be included with or without the formal form of partnership.
- (2) The related party as set forth in section (1) shall be the party of which direct or indirect relationship with the prevention and eradication of the criminal action of Money Laundering in Indonesia.

Article 89

- (1) International partnership of which is conducted by PPATK with the similar institutions in other countries and international institutions of which associated with the prevention and eradication of the criminal action of Money Laundering.
- (2) International partnership of which is conducted by the PPATK could be conducted in the formal partnership or based on the mutual legal assistance or the principle of reciprocity.

Article 90

- (1) During conducting the prevention and eradication of the criminal action of Money Laundering, PPATK could perform the sharing information partnership in the form of request, provision, and reception of the information with the parties, either in the domestic or international scope of which includes:
 - a. law enforcement institutions;
 - b. institutions of which are authorized to perform the supervision against the financial service providers;
 - c. institutions of which assigned to examine the management and responsibility of state finance;
 - d. other institutions of which associated with the prevention and eradication of the criminal action of Money Laundering or other criminal action that associated with Money Laundering; and
 - e. financial intelligent unit of the other country.
- (2) The request, provision, and reception of the information as set forth in section (1) could be performed on its own initiative or on the request of the party that could request for information from PPATK.
- (3) Request for the information as set forth in section (1) should be proposed in written and signed by:
 - a. head of panel judge;
 - b. chief the Indonesian National Police or chief of Provincial Police Command;



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- c. Supreme Attorney or head of the provincial attorney office;
- d. head of institution or agency or commission, in the event that the request is proposed by the investigator other than from the Indonesian National Police;
- e. chairman, director or the equivalent officials, or head of the working unit or office in the authorized to conduct supervision against the financial service providers;
- f. chairman of the institution of which assigned to examine the management and responsibility on the state finance;
- g. chairman of the other institution of which associated with the prevention and eradication of the criminal action of Money Laundering or other criminal actions of which associated with criminal action of Money Laundering; or
- h. chairman of the financial intelligence unit of the other country.

Article 91

- (1) For the purpose of preventing and eradicating the criminal action of Money Laundering, mutual assistance in the criminal matters with other countries through bilateral and multilateral forum is required in accordance with the provision of law and regulation.
- (2) Mutual assistance partnership, as set forth in section (1) above, in the event that countries in question have entered into the agreement of mutual assistance partnership with the Unitary State of the Republic of Indonesia or on the basis of reciprocity.

Article 92

- (1) In order to improve the coordination among related agencies in the prevention and eradication of criminal action of Money Laundering, the National Committee for the Prevention and Eradication of the Criminal Crime of Money Laundering is established.
- (2) The establishment of the National Committee for the Prevention and Eradication of the Criminal Crime of Money Laundering shall be set with the President Regulation.

CHAPTER XI

MISCELLEANEOUS PROVISION

Article 93

In the event that there is a progress on the international convention or the international recommendation on the affair of prevention and eradication of the criminal action of Money Laundering, PPATK and the related agencies could implement such provision in accordance with the provision of law and regulation.

CHAPTER XII

TRANSITIONAL PROVISION

Article 94

When this law comes into force:

- a. PPATK is established based on Law Number 15 Year 2002 on the Criminal Action of Money Laundering as has been amended with



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Law Number 25 Year 2003 on the Amendment of Law Number 15 Year 2000 on the Criminal Action of Money Laundering, it is stipulated as PPATK under this Law.

- b. PPATK is established based on Law Number 15 Year 2002 on the Criminal Action of Money Laundering as has been amended with Law Number 25 Year 2003 on the Amendment of Law Number 15 Year 2002 on the Criminal Action of Money Laundering, shall remain conduct its duty, function, and authority under this Law.
- c. Organizational Structure of PPATK shall be appointed based on Law Number 15 Year 2002 on the Criminal Action of Money Laundering as has been amended with Law Number 25 Year 2003 on the Amendment of Law Number 15 Year 2000 on the Criminal Action of Money Laundering shall be remain applicable until the establishment of the new organizational structure of PPATK under this Law.
- d. Chairman and Vice-Chairman of PPATK shall be appointed based on Law Number 15 Year 2002 on the Criminal Action of Money Laundering as has been amended with Law Number 25 Year 2003 on the Amendment of Law Number 15 Year 2000 on the Criminal Action of Money Laundry, shall remain to conduct their duty, function, and authority under this Law until the appointment of the new Chairman and Vice-Chairman of PPATK at least 1 (one) year after this law is effective.
- e. The National Committee for the Prevention and Eradication of the Criminal Crime of Money Laundering is established based on the Presidential Decree Number 1 Year 2004 shall remain conduct its duty, function, and authority until the establishment of the National Committee for the Prevention and Eradication of the Criminal Crime of Money Laundering under this Law.

Article 95

The criminal action of Money Laundering, which is committed before this law comes into force, shall be examine and decided based on Law Number 15 Year 2002 on the Criminal Action of Money Laundering as has been amended with Law Number 25 Year 2003 on the Amendment of Law Number 15 Year 2000 on the Criminal Action of Money Laundering.

CHAPTER XIII

CLOSING PROVISION

Article 96

The implementation of report by the goods/ or other services provider as set forth in Article 27 section (1), shall be implemented within at least 2 (two) years after this law is promulgated.

Article 97

The implementation of the report obligation on the Financial Transaction of fund transfer from and/ or from the abroad, as set forth in Article 23 section (1) point c, shall be implemented within at least 5 (five) years after this Law is promulgated.

Article 98



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It is declared that all the implementing regulations of Law Number 15 Year 2002 on the Criminal Action of Money Laundering as has been amended with Law Number 25 Year 2003 on the Amendment of Law Number 15 Year 2000 on the Criminal Action of Money Laundering, shall remain be applicable as long as they are not contradictory with or they have not been amended with this Law.

Article 99

When this Law comes into force, Law Number 15 Year 2002 on the Criminal Action of Money Laundering (State Gazette of the Republic of Indonesia Year 2002 Number 30, Supplement of the State Gazette of the Republic of Indonesia Number 4191) as has been amended with Law Number 25 Year 2003 on the Amendment of Law Number 15 Year 2000 on the Criminal Action of Money Laundering (State Gazette of the Republic of Indonesia Year 2003 Number 108, Supplement of the State Gazette of the Republic of Indonesia Number 4324), shall be revoked and declared that they are not applicable.

Article 100

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 October 22th, 2010

PRESIDENT OF THE RPUBLIC OF INDONESIA

Signed,

DR. H. SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta

On October 22th, 2010

MINISTER OF JUSTICE AND HUMAN RIGHT OF
THE REPUBLIC OF INDONESIA

Signed,

PATRIALIS AKBAR

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2010 NUMBER
122

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THE MINISTRY OF STATE
SECRETARIAT OF THE REPUBLIC
OF INDONESIA

Bureau Chief of Statutory Legislation,



THE PRESIDENT
OF THE REPUBLIC OF INDONESIA

Department of Economy and Industry

SETIO SAPTO NUGROHO



THE PRESIDENT
OF THE REPUBLIC OF INDONESIA

THE EXPLANATION

OF

LAW OF THE REPUBLIC OF INDONESIA
NUMBER 8 YEAR 2010



THE PRESIDENT
OF THE REPUBLIC OF INDONESIA

ON

THE COUNTERMEASURE AND ERADICATION OF MONEY LAUNDERING

I. GENERAL

The perpetrator(s) of the criminal action of Money Laundering generally hides or disguises the origin of Assets of which come from the result of criminal action in any manners in order to the Assets of which are the result of the criminal action is difficult to be traced by the law enforcement apparatus so that they freely utilize such Assets either for the legal or illegal activity. Therefore, the criminal action of Money Laundering not only threatens the stability and integrity of the economy and the financial system but also it could endanger the essential values of the social life, nationhood, and statehood based on Pancasila and the Constitution of the Unitary State of the Republic of Indonesia Year 1945.

In the concept of anti-Money Laundering, the perpetrator and the result of criminal action can be known through the tracing and henceforth such result of criminal action shall be confiscated for the state or returned to the entitled one. In the event that the confiscated Assets belongs to the perpetrator or the criminal organization can be confiscated or be seized, by itself can decrease the level of criminality. Therefore, the effort of prevention and eradication of the criminal action of Money Laundering requires the strong legal basis to ensure the legal certainty, effectiveness of legal enforcement as well for tracing and returning the Assets of which are result of the criminal action.

The tracing of Assets of which are the result of criminal action of Money Laundering commonly conducted by the financial institutions through the mechanism in accordance with the provision of law and regulation. The Financial Institution has the significant role, particularly in implementing the principle of Know the User and reports certain Transaction to the authority (financial intelligence unit) as material of analysis henceforward submitted to the investigator.

Financial institution does not only role in the law enforcement affairs, but also protecting their self from the risks, which is operational, legal, concentrated Transaction, and reputation as they are not utilized as facility and target by the perpetrator of criminal action to laundry the money of which are result of the criminal action. By the good risk management, the financial institution will be capable to implement its function well, as result; the financial system will be more stable and trustworthy.

In its progress, the criminal action of Money Laundering is getting more complex, crossing the jurisdictional boundaries, and applying the modus of which is getting varied, utilizing the institutions beyond the financial institutions, even it has penetrated to many sectors. For the purpose of anticipating such matters, the Financial Action Task Force (FATF) on Money Laundering has issued the international standard of which becomes the measure for each country in the prevention and eradication of the criminal action of Money Laundering and the criminal action of terrorism that are recognized as *Revised 40 Recommendations and 9 Special Recommendations* (Revised 40 + 9) FATF, of which such as the expansion of the Reporting Party of which include the germs and precious metal dealers and motor vehicle



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dealers. In the prevention and eradication of the criminal action of Money Laundering, it is required the bilateral and international partnership through bilateral and multilateral forum, in order to the intensity of criminal action of which results or of which includes the large amount Assets could be minimized.

In Indonesia, the handling of criminal action of Money Laundering of which was commenced since Law Number 15 Year 2002 on the Criminal Action of Money Laundering as it has been amended with Law Number 25 Year 2003 on the amendment of Law Number 15 Year 2002 on the Criminal Action of Money Laundering has showed the positive direction. Those matters are reflected from the increase of implementer of Law on the Criminal Action of Money Laundering's awareness, such as the financial service providers in implementing the report obligation, the Supervisory and Regulatory Agency in the rulemaking, Financial Institution Report and Analysis Center (PPATK) in conducting analysis activity, and law enforcement apparatus in following up the analysis results until the imposition of criminal sentence and / or administrative penalty.

Efforts that have been made are considered has not been optimum, such as the existed law and regulation still provide space on the arise of different interpretation, the existence of legal gap, inappropriate in the imposition of penalty, shifting the evidentiary burden, lack of information access, the limited scope or the reporting party and type or report, and lack of clarity on the duty and authority of the implementer of this Law.

In order to meet the national interest and to adjust international standard, it is required to be prepared the Law on the Prevention and Eradication of the Criminal Action of Money Laundering in lieu Law Number 15 Year 2002 on the Criminal Action of Money Laundering as it has been amended with Law Number 25 Year 2003 on the amendment of Law Number 15 Year 2002 on the Criminal Action of Money Laundering. The substances of which contained herein, such as:

1. redefinition on the definition of which associated with the criminal action of Money Laundering;
2. the improvement of criminalization of the Money Laundering;
3. regulation on the imposition of criminal sentence and administrative sentence;
4. the establishment of the principle of Know the User;
5. expansion of the Reporting Party;
6. stipulation on the type of report by the goods/ and or other services provider;
7. structuring on the Compliance Supervision;
8. the provision of authority to the Reporting Party to postpone the Transaction;
9. the expansion of the authority of the Directorate General of Customs against the Transportation of cash and other payment instruments into or out to the Customs Area;
10. the provision of authority to the investigator of the origin criminal action to investigate the allegation of the criminal action of Money Laundering;
11. the expansion of the agencies of which entitled to receive analysis result or examination of PPATK;
12. restructuring the institutional of PPATK;
13. the addition of PPATK's authority, including authority to temporarily discontinue the Transaction;



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14. restructuring the examination procedural law of examination of the criminal action of Money Laundering; and
15. arrangement regarding on the confiscation of the Assets that come from criminal actions.

II. ARTICLE BY ARTICLE

Article 1

Self-explanatory

Article 2

Section (1)

Point a

Self-explanatory

Point b

In this section, “*bribery*” means the bribery as set forth in the law on the criminal action of bribery.

Point c

Self-explanatory

Point d

Self-explanatory

Point e

In this section, “*the labor smuggling*” means labor smuggling as set forth in the law on the placement of the Indonesian Labor in abroad.

Point f

In this section, “*the migrant smuggling*” means migrant smuggling as set forth in the law on immigration.

Point g

Self-explanatory

Point h

Self-explanatory

Point i

Self-explanatory

Point j

Self-explanatory

Point l

In this section, “*Human trafficking*,” means the human trafficking as set forth in the Book of Criminal Law and law on the eradication of the criminal action of human trafficking.

Point m

In this section, “*illegal firearm trading*” means the illegal firearm trading as set forth in the Emergency Law Number 12 Year 1951 on the amendment of *Ordonnantietidjelijke*



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Bizondere Strafbepalingen” (*Staatblad* 1948: 17) and Undang – Undang Republik Indonesia Dahulu Nomor 8 Tahun 1948 on the Registration and Licensing of the Utilization of Firearm.

Point o
Self-explanatory

Point p
Self-explanatory

Point r
Self-explanatory

Point s
Self-explanatory

Point t
Self-explanatory

Point u
In this section, “prostitution” means the prostitution as set forth in the Book of Criminal Law and the law on the eradication of the criminal action of human trafficking.

Point v
Self-explanatory

Point w
Self-explanatory

Point x
Self-explanatory

Point y
Self-explanatory

Point z
Self-explanatory

Under this provisions, during determining the result of criminal action, this Law applies the principle of double criminality.

Section (2)
Self-explanatory

Article 3
Self-explanatory

Article 4
Self-explanatory

Article 5
Section (1)

In this section, “reasonably alleged” means the condition of which meets at least know how, willing, or aim at the known Transaction of which indicates the existence of lawlessness.



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Section (2)
Self-explanatory

Article 6

Section (1)

The corporation shall include also the organized group, which is the structured group consists of 3 (three) or more people, which existence for certain period, and acting for committing one or more criminal actions of which are regulated in this Law, with the aims to obtain financial or non-financial interest directly or indirectly.

Section (2)
Self-explanatory

Article 7

Self-explanatory

Article 8

Self-explanatory

Article 9

Self-explanatory

Article 10

Self-explanatory

Article 11

Section (1)

This provision includes as the provision as the confidentiality of the position.

Section (2)
Self-explanatory

Section (3)
Self-explanatory

Article 12

Section (1)

This provision shall be recognized as “*anti-tipping off*”. This provision shall be intended in order to the User does not transfer the Asset so that it does not complicate the law enforcement apparatus to trace the User and Assets in question.

Section (2)
Self-explanatory

Section (3)

The provision “*anti-tipping off*” shall also apply for the officials and PPATK’s employees, as well the officials and employees of the Supervisory and Regulatory Agency to prevent the User who is alleged as the perpetrator of the criminal action escapes and the Assets in question is transferred so that it complicates the investigation process of criminal action.

Section (4)
Self-explanatory



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Section (5)
Self-explanatory

Article 13
Self-explanatory

Article 14
Self-explanatory

Article 15
Self-explanatory

Article 16
Self-explanatory

Article 17

Section (1)

Point a

In this section, including into the definition of “*financial service provider*” is Anyone who provide service in the field of financial or other services associated with the financial either formally or informally.

Point b

In this section, “*goods and/ or other service provider*” includes licensed or non-licensed.

Section (2)

Self-explanatory

Article 18

Section (1)

Self-explanatory

Section (2)

Applying the principle of Know the User means *Customer Due Dilligence (CDD)* and *Enhanced Due Dilligence (EDD)* as set forth in the Recommendation number 5 of the *Financial Action Task Force (FATF)* on the *Criminal Action of Money Laundering*.

Section (3)

Self-explanatory

Section (4)

Self-explanatory

Section (5)

Point a

User Identification means including the update of User data.

Point b

Self-explanatory

Point c

Self-explanatory

Section (6)

Self-explanatory



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Article 19

Self-explanatory

Article 20

Self-explanatory

Article 21

Section (1)

Self-explanatory

Section (2)

Self-explanatory

Section (3)

In this section, “*the provision of law and regulation*” means the regulation of which is issued by the Supervisory and Regulatory Agency such as Regulation of Bank Indonesia (PBI) and Regulation of the Finance Minister (PMK).

Article 22

Section (1)

In this section, “business relationship” includes checking account.

Section (2)

Self-explanatory

Article 23

Section (1)

Point a

Basically, the Suspicious Financial Transaction is initiated with Transactions as follow:

- 1) does not have the clear business and financial objective;
- 2) using relatively large amount of cash and/ or it is conducted repeatedly beyond the limits of fairness; or
- 3) customer’s activity is conducted beyond the ordinary and fairness Transaction.

In the event that such unfairness Transactions meet the criteria as set forth in section (1) number 2), such Transaction shall be classified as the Suspicious Financial Transaction and shall be obliged to be reported. Otherwise, against beyond the ordinary and fairness of Transaction or activity as mentioned above, the financial service provider shall be required to provide special attention against all complex Transactions, unusual in large amount, and all uncommon Transaction patterns, which has not the clear economic reason and there is not legal objective. The background of such transaction should be, as long as possible examined, all findings obtained should be recorded, and be available to assist the authorized party and auditor.

Point b

Self-explanatory

Point c

Self-explanatory



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Section (2)
Self-explanatory

Section (3)
Self-explanatory

Section (4)
Point a

Transaction whit the government means the Transaction of which utilizes the government account, and it is made for and on behalf of the government, which is the central government, local government, ministries, non-ministry institutions or other governmental agencies, but including the state/ local owned enterprise.

Point b
Self-explanatory

Point c

“*Other Transaction*” shall be the excluded Transactions in accordance with their characteristics are always conducted in cash and large amount, such as routine payment of the toll road operator or the payment made by the supermarket operator.

Other than based on the type of transaction, Chairman of PPATK could stipulate the other transactions of which are excluded based on the amount of transaction, form or the working region of the certain Reporting Party. The implementation of such exception shall be implemented, in either limited period or unlimited period.

Section 5
Self-explanatory

Article 24

Section (1)

This provision shall be intended in order to the data or information regarding on such excluded Transactions could be examined by PPATK for the purpose of analysis.

Detailed Transaction of which shall be made and stored, the same with the cash transaction that should be reported to PPATK. The list can be made electronically, as long as it can be assured that it is not easily lost or damaged.

Section (2)
Self-explanatory

Article 25

Section (1)

This provision shall be intended in order to the financial service provider can immediately report the Suspicious Financial Transaction, so that the Assets of which allegedly come from the criminal action and the perpetrator of Money Laundering can be traced. The elements of Suspicious Financial Transaction shall be



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as set forth in Article 1 number 5 point a, point b, point c, and point d.

Section (2)
Self-explained

Section (3)
Self-explained

Section (4)
Self-explanatory

Section (5)
Self-explanatory

Article 26

Section (1)
Self-explanatory

Section (2)
Self-explanatory

Section (3)
Self-explanatory

Section (4)
Self-explanatory

Section (5)
Self-explanatory

Section (6)
Self-explanatory

Section (7)
It means that, at the fifth day of postponement of Transaction performed, the financial service provider should decide to perform or to refuse the Transaction.

Article 27

Self-explanatory

Article 28

Self-explanatory

Article 29

In this Article, “prosecuted in civil,” means such as compensation claims. While, “prosecuted in criminal” means such as defamation claims.

Article 30

Self-explanatory

Article 31

Section (1)
Therefore, for the Reporting Party who has had the Supervisory and Regulatory Agency, there are 2 (two) ways of Compliance



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Supervision, namely conducted by the Supervisory and Regulatory Agency and/ or by PPATK.

Section (2)
Self-explanatory

Section (3)
Self-explanatory

Section (4)
Self-explanatory

Article 32
Self-explanatory

Article 33
Self-explanatory

Article 34
Section (1)
Check, traveler check, promissory note to pay, bank draft of which is recognized as *Bearers Negotiable Instruments*.

Section (2)
Self-explanatory

Section (3)
Self-explanatory

Article 35
Self-explanatory

Article 36
Self-explanatory

Article 37
Section (1)
Self-explanatory

Section (2)
Self-explanatory

Section (3)
In this section, “*perform intervention whatsoever*,” means action or deed from the party whatsoever of which leads to reduce the freedom of PPATK in performing its duty, function, and authority.

Section (4)
Self-explanatory

Article 38
Self-explanatory

Article 39
Self-explanatory

Article 40
Point a
Self-explanatory



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Point b
Self-explanatory

Point c
Compliance Supervision shall be conducted by PPATK against the Reporting Party of which has not possessed the Supervisory and Regulatory Agency, or against the Reporting Party of which has been transferred by the Supervisory and Regulatory Agency to PPATK.

Point d
Self-explanatory

Article 41

Section (1)

Point a

In this section, “*government institution*” such as the Directorate General of Taxation and the Center Development of Accountant and Appraisal Services of the Ministry of Finance, Directorate General of Common Law of the Ministry of Justice and Human Right, National Land Agency.

In this section, “*private institution*” means such as advocate association, notary association, and accountant association.

In this section, “*certain profession*” means such as advocate, financial consultant, notary, land deed official and independent accountant.

Point b
Self-explanatory

Point c
Self-explanatory

Point d
Self-explanatory

Point e
Self-explanatory

Point f
Self-explanatory

Point g
Self-explanatory

Section (2)

The submission of data and/ or information from government institution and/ or private institution does not require permit from whatsoever party.

Section (3)

Self-explanatory

Article 42



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In this Article, “*organizing information system*,” means include as follow:

- a. building, developing, applying, and maintaining application system;
- b. building, developing, and maintaining computer network infrastructure and database;
- c. gathering, and evaluating data and information obtained by PPATK manually or electronically;
- d. storing, and maintaining data and information into the database;
- e. presenting information for analysis purpose;
- f. facilitating the exchange of information with the related party either domestic or international; and
- g. performing socialization on the utilization of information system to the Reporting Party.

Article 43

Point a

Self-explanatory

Point b

Self-explanatory

Point c

1. financial service provider whose compliance supervision is conducted by the Supervisory and Regulatory Agency and/or PPATK; and
2. financial service provider based on the request of the institution of which is authorized to request for information from PPPATK in accordance with the provision of law and regulation;

Point d

Self-explanatory

Point e

Self-explanatory

Point f

Self-explanatory

Point g

Self-explanatory

Article 44

Section (1)

Point a

Self-explanatory

Point b

Self-explanatory

Point c

Self-explanatory

Point d

In this provision, the request for information from the foreign law enforcement institution shall be conducted as long as it does not disturb the national interest with due regard to the provision of law and regulation on the foreign affairs and international agreement.



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Point e
Self-explanatory

Point f
Self-explanatory

Point g
Requesting for the information to the Reporting Party and other party associated with the criminal action of Money Laundering could be conducted through the special, audit conducted either by PPATK itself or along with the Supervisory and Regulatory Agency.

Point h
Self-explanatory

Point i
The request to postpone from PPATK to the financial service provider on the overall or partial Transaction of which is known, or of which is allegedly as the result of criminal action, shall be conducted for the purpose of examination.

Point j
Self-explanatory

Point k
Self-explanatory

Point l
Self-explanatory

Section (2)
Self-explanatory

Article 45
In this Article, “confidentiality” means such as confidentiality of the bank, confidentiality of non-bank, etc.

Article 46
Self-explanatory

Article 47
Section (1)
Self-explanatory

Section (2)
In the framework of the implementation of the function of supervision, the House of Representative at any time shall be entitled to request the report of PPATK.

Article 48
Self-explanatory

Article 49
Self-explanatory



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Article 50
Self-explanatory

Article 51
Point a
Self-explanatory

Point b
Self-explanatory

Point c
Self-explanatory

Point d
Self-explanatory

Point e
Self-explanatory

Point f
Self-explanatory

Point g
Self-explanatory

Point h
In this provision, “*other occupation*” means any other occupation that potentially disturbs influencing the implementation of duty and results the conflict of interest.

Point i
Self-explanatory

Article 52
Self-explanatory

Article 53
Self-explanatory

Article 54
Self-explanatory

Article 55
Self-explanatory

Article 56
Self-explanatory

Article 57
Self-explanatory

Article 58
Self-explanatory

Article 59
Self-explanatory



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Article 60
Self-explanatory

Article 61
Self-explanatory

Article 62
Self-explanatory

Article 63
Self-explanatory

Article 64
Section (1)
Self-explanatory

Section (2)
The Examination Result of PPATK is submitted to the Indonesian National Police and the Attorney/ Attorney General of the Republic of Indonesia and its copy shall be submitted to the other investigator of which is in accordance with its authority under this law.

Section (3)
In this provision, the partnership is also conducted among the investigator of the origin criminal action who obtains the Examination Result of PPATK.

Article 65
Section (1)
In this section, “*to temporarily discontinue overall or partial Transaction*” means does not perform the Transaction of which is known or of which is alleged as the result of criminal action.

Section (2)
Self-explanatory

Article 66
Self-explanatory

Article 67
Self-explanatory

Article 68
Self-explanatory

Article 69
Self-explanatory

Article 70
Self-explanatory

Article 71
Section (1)
The investigator, prosecuting attorney, or judge’s question shall be in accordance with the phase of examination of which is



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investigation shall be the authority of the investigator, on the phase of prosecution shall be the authority of the prosecuting attorney, and on the hearing shall be the authority of the judge.

Section (2)

Letter of blocking request of which is submitted to the financial service provider should be signed by:

- a. coordinator of the investigator/ or head of investigator team for the level of investigation;
- b. chairman of the district attorney office for the level of prosecution; and
- c. head of panel judge for the level of hearing.

Section (3)

Self-explanatory

Section (4)

Self-explanatory

Section (5)

Self-explanatory

Section (6)

Self-explanatory

Article 72

Section (1)

Self-explanatory

Section (2)

In this section, “*the provision of law and regulation*” means include also the provision regarding on the confidentiality of which is applicable for the Reporter Party.

Section (3)

Self-explanatory

Section (4)

Self-explanatory

Section (5)

In the event that the chief of the Indonesian national police, the chief of the provincial police command, head of institution, agency, or commission, or the Attorney General, or head of provincial attorney office is absence, the signing could be made by the appointed official.

Section (6)

Self-explanatory

Article 73

Self-explanatory

Article 74

In this Article, “*investigator of the origin criminal action*” shall be the officials from the institutions of which under the Law are provided the



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authority to conduct investigation, namely the Indonesian National Police, Attorney Office, Commission of Corruption Eradication (KPK), National Narcotics Agency (BNN), Directorate General of Taxation, and Directorate General of Customs of the Finance Ministry of the Republic of Indonesia.

The investigator of the origin criminal action could investigate the criminal action of Money Laundering if found the sufficient initial evidence on the occurrence of criminal action of the Money Laundering when conducting the investigation of the origin criminal action in accordance with his/ her authority.

Article 75

Self-explanatory

Article 76

Self-explanatory

Article 77

Self-explanatory

Article 78

Self-explanatory

Article 79

Section (1)

This provision shall be intended in order the prevention and eradication efforts of the criminal action of Money Laundering could be run smoothly in the implementation of hearing, as result in the event that the defendant have been legally invited and he/ she is absence without legal reasons, such case remains be examined without the presence of the defendant.

Section (2)

Self-explanatory

Section (3)

Self-explanatory

Section (4)

This provision shall be intended to prevent the heir(s) of the defendant acquire the Assets of which are the result of the criminal action. In addition, it is an effort to return the Assets for the state treasury in the event that such criminal action adverse the state finance.

Section (5)

Self-explanatory

Section (6)

Self-explanatory

Article 80

Section (1)

Self-explanatory

Section (2)



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In this section, “*should be made directly by the defendant*” means that the defendant should presence and should sign by his/ herself the deed appeal statement in the district court of which decides the case.

Article 81

Self-explanatory

Article 82

Self-explanatory

Article 83

Section (1)

In this Article, “the reporter” means anyone who acts in good faith and voluntary reporting the criminal action of Money Laundering.

Section (2)

Self-explanatory

Article 84

Self-explanatory

Article 85

Self-explanatory

Article 86

Self-explanatory

Article 87

Self-explanatory

Article 88

Section (1)

In this section, “formal partnership” means such as memorandum of understanding.

Section (2)

Self-explanatory

Article 89

Self-explanatory

Article 90

Self-explanatory

Article 91

Section (1)

In this section, “*law and regulation*” means the law of which regulates the mutual assistance in the criminal affairs and law of which is regulates the international agreement.

Section (2)

Self-explanatory

Article 92

Self-explanatory



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Article 93

This provision shall be intended in order to the PPATK and other related institutions could stipulate the provision in accordance with the progress of international convention or international recommendation in the prevention and eradication of the criminal action of Money Laundering or the guidelines on the application program of anti-money laundering for the financial service provider.

Article 94

Self-explanatory

Article 95

Self-explanatory

Article 96

Self-explanatory

Article 97

Self-explanatory

Article 98

Self-explanatory

Article 99

Self-explanatory

Article 100

Self-explanatory

THE SUPPLEMENT OF THE STATE GAZETTE OF THE REPUBLIC OF
INDONESIA NUMBER 5164