

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
NUMBER 50 OF 2020
ON
PROVISIONS ON BUSINESS LICENSING, ADVERTISING, GOVERNANCE, AND
SUPERVISION OF BUSINESSES OF TRADING THROUGH ELECTRONIC
SYSTEMS¹

BY THE GRACE OF GOD ALMIGHTY

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

Considering:

that in order to implement provisions under Article 7 paragraph (5), Article 12 paragraph (2), Article 15 paragraph (4), Article 36, Article 77 paragraph (3), Article 78 paragraph (4), Article 79 paragraph (2), and Article 80 paragraph (5) of Regulation of the Government [Number 80 of 2019](#) on Trading Through Electronic Systems, it is deemed necessary to establish Regulation of the Minister of Trade on Provisions on Business Licensing, Advertising, Governance, and Supervision of Businesses of Trading Through Electronic Systems;

In view of:

1. Article 17 paragraph (3) of the 1945 Constitution of the Republic of Indonesia;
2. Law [Number 8 of 1999](#) on Consumer Protection (State Gazette of the Republic of Indonesia of 1999 Number 22, Supplement to the State Gazette of the Republic of Indonesia Number 3821);
3. Law [Number 11 of 2008](#) on Electronic Information and Transactions (State Gazette of the Republic of Indonesia of 2008 Number 58, Supplement to the State Gazette

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- of the Republic of Indonesia Number 4843), as amended by Law [Number 19 of 2016](#) [sic] on Amendment to Law [Number 11 of 2008](#) on Electronic Information and Transactions (State Gazette of the Republic of Indonesia of 2016 Number 251, Supplement to the State Gazette of the Republic of Indonesia Number 5952);
4. Law [Number 20 of 2008](#) on Micro-, Small-and-Medium Businesses (State Gazette of the Republic of Indonesia of 2008 Number 93, Supplement to the State Gazette of the Republic of Indonesia Number 4866);
 5. Law [Number 39 of 2008](#) on State Ministry (State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to the State Gazette of the Republic of Indonesia Number 4916);
 6. Law [Number 7 of 2014](#) on Trading (State Gazette of the Republic of Indonesia of 2014 Number 45, Supplement to the State Gazette of the Republic of Indonesia Number 5512);
 7. Law [Number 24 of 2019](#) on Creative Economy (State Gazette of the Republic of Indonesia of 2019 Number 212, Supplement to the State Gazette of the Republic of Indonesia Number 6414);
 8. Regulation of the Government [Number 24 of 2018](#) on Electronically-Integrated Business Licensing Services (State Gazette of Indonesia of 2018 Number 90, Supplement to the State Gazette of the Republic of Indonesia Number 6215);
 9. Regulation of the Government [Number 71 of 2019](#) on Organization of Electronic System and Transactions (State Gazette of the Republic of Indonesia of 2019 Number 185, Supplement to the State Gazette of the Republic of Indonesia Number 6400);
 10. Regulation of the Government [Number 80 of 2019](#) on Trading Through Electronic Systems (State Gazette of the Republic of Indonesia of 2019 Number 222, Supplement to the State Gazette of the Republic of Indonesia Number 6420);
 11. Regulation of the President [Number 48 of 2015](#) on Ministry of Trade (State Gazette of the Republic of Indonesia of 2015 Number 90);
 12. Regulation of the President [Number 68 of 2019](#) on Organization of State Ministry (State Gazette of the Republic of Indonesia of 2019 Number 203);

13. Regulation of the Minister of Trade [Number 36 of 2018](#) on Implementation of Supervision on Trading Activities (Official Gazette of the Republic of Indonesia of 2018 Number 338);
14. Regulation of the Minister of Trade [Number 69 of 2018](#) on Supervision of Goods in Circulation and/or Services (Official Gazette of the Republic of Indonesia of 2018 Number 813);
15. Regulation of the Minister of Trade [Number 08 of 2020](#) on Electronically-Integrated Business Licensing Services within Trading Sector (Official Gazette of the Republic of Indonesia of 2020 Number 107);

HAS DECIDED:

To establish:

REGULATION OF THE MINISTER OF TRADE ON PROVISIONS ON BUSINESS LICENSING, ADVERTISING, GOVERNANCE, AND SUPERVISION OF BUSINESSES OF TRADING THROUGH ELECTRONIC SYSTEMS.



CHAPTER 1
GENERAL PROVISIONS

Article 1

Under this Regulation of the Minister, the following definitions are employed:

1. Trading is an order of activities relating to transactions of Goods and/or Services domestically and beyond state borders with the purpose of transferring the right over Goods and/or Services in order to obtain reward or compensation.
2. Trading Through Electronic System, hereinafter abbreviated as PMSE [*Perdagangan Melalui Sistem Elektronik*], is Trading, of which, its transactions are performed through a set of electronic devices and procedures.
3. Electronic System is a set of electronic devices and procedures functioning to prepare, collect, process, analyze, store, display, publish, send, and/or disseminate electronic information.

4. Businesses of Trading Through Electronic Systems, hereinafter referred to as Businesses, are every natural persons or enterprises taking form as incorporated or unincorporated entities, which may take form as Domestic Businesses and Foreign Businesses and perform business activities within PMSE sector.
5. Domestic Businesses are Indonesian nationals or enterprises which are established and domiciled within the jurisdiction of the Unitary State of the Republic of Indonesia, which operate business activities within PMSE sector.
6. Businesses which are domiciled Overseas, hereinafter referred to as Foreign Businesses, are foreign nationals or enterprises which are established and domiciled outside the jurisdiction of the Unitary State of the Republic Indonesia, which operate business activities within PMSE sector within the jurisdiction of the Republic of Indonesia.
7. Operator of Trading Through Electronic Systems, hereinafter abbreviated as PPMSE [*Penyelenggara Perdagangan Melalui Sistem Elektronik*], are Businesses as providers of electronic communication means as used for Trading transactions.
8. Merchant (*pedagang*) is Businesses who perform PMSE, either using means which are developed and managed by itself directly or through means as owned by PPMSE, or other Electronic Systems which provide PMSE means.
9. Operator of Intermediary Services (*sarana perantara*), hereinafter abbreviated as PSP [*Penyelenggara Sarana Perantara*], are Domestic Businesses or Foreign Businesses which provide electronic communication means other than telecommunication providers, which only function as intermediary in electronic communication between sender and receiver.
10. Micro Business is productive business as owned by natural persons and/or individual enterprises which fulfill criteria of Micro Business as addressed under Law [Number 20 of 2008](#) on Micro-, Small-and-Medium Businesses.
11. Small Business is productive economy business which is independently established, as operated by natural persons or enterprises which are not subsidiary or not branch of company which is owned, controlled, or becomes a part of, either directly or indirectly, of Medium Business or Large Business, which fulfills criteria of Small

Business as addressed under Law [Number 20 of 2008](#) on Micro-, Small-and-Medium Businesses.

12. Customers are anyone who consumes Goods and/or Services which are available in the public, either for the interests of oneself, family, other persons, or other living beings and not for trade.
13. Goods are every object, both tangible and intangible, both movable and immovable, both consumable and not consumable, and may be traded, worn, used, or utilized by Customer or Businesses.
14. Services are every service and the showcasing of work in the forms of job or output of work that is achieved, which is traded by one party to another in the society to be utilized by customers or Businesses.
15. Trading Through Electronic Systems Business License Certificate, hereinafter abbreviated as SIUPMSE [*Surat Izin Usaha Perdagangan Melalui Sistem Elektronik*], is Business License to operate PMSE business activities.
16. Representative of Foreign Trading Company within the sector of Trading Through Electronic Systems Business License Certificate, hereinafter referred to as SIUP3A for PMSE sector [*Surat Izin Usaha Perwakilan Perusahaan Perdagangan Asing di bidang Perdagangan melalui Sistem Elektronik*], is Business License to operate business activities of Representative of Foreign Trading Company within PMSE sector.
17. Business License is license as issued by OSS Agency for and in the name of minister, head of agency, governor, or regent/mayor, after Businesses perform Registration and in order to commence business and/or activity up to prior commercial or operational operation by fulfilling requirements and/or Commitments.
18. Commitment is statement of Businesses to fulfill requirements of Business License and/or Commercial or Operational License.
19. Electronically-Integrated Business Licensing or Online Single Submission, hereinafter abbreviated as OSS, is business licensing as issued by OSS Agency for and in the name of minister, head of agency, governor, or regent/mayor to businesses through integrated electronic systems.

20. OSS Managing and Organizing Agency, hereinafter referred to as OSS Agency, is non-ministerial governmental agency which organizes governmental affairs within the sector of capital-investment coordination.
21. Digital Advertising is information for commercial purpose of Goods and/or Services through Electronic Communication which is uploaded and disseminated to certain parties, both performed in paid-basis or free-of-charge.
22. Creative Economy is incorporation of added value of intellectual property which is sourced from human's creativity which is based on cultural heritage, science, and/or technology.
23. Creative Economy Actor is natural persons or group of Indonesian nationals or enterprises taking form as incorporated entity or unincorporated entity, that is established based on Indonesia law, which operates Creative Economy activities.
24. Representative Office of Foreign Trading Company within the sector of Trading Through Electronic System, hereinafter referred to as KP3A within PMSE sector [*Kantor Perwakilan Perusahaan Perdagangan Asing di bidang Perdagangan melalui Sistem Elektronik*]. is office which is headed by 1 (one) or more Indonesian nationals or foreign nationals whom are appointed by foreign PPMSE as its representative in Indonesia.
25. Certificate from Trading Attaché of the Republic of Indonesia or Representative Official of the Republic of Indonesia is certificate on data relating foreign PPMSE which at least contains name of company, incorporation date, form of incorporated entity, address of headquarter and branch office, as well as business sector which is issued by Trading Attaché of the Republic of Indonesia or Representative Official of the Republic of Indonesia in principal state.
26. Minister is minister who organizes governmental affairs within Trading sector.
27. Director General of Domestic Trading, hereinafter referred to as Director General of PDN [*Perdagangan Dalam Negeri*], is Director General of Domestic Trading, Ministry of Trade.
28. Director General of Customer Protection and Commercial Order, hereinafter referred to as Director General of PKTN [*Perlindungan Konsumen dan Tertib Niaga*], is Director General of Customer Protection and Commercial Order, Ministry of Trade.

CHAPTER II BUSINESSES

Article 2

- (1) Businesses consist of:
 - a. Domestic Businesses which encompass:
 1. domestic Merchant;
 2. domestic PPMSE; and
 3. domestic PSP;
 - b. Foreign Businesses which encompass:
 1. foreign Merchant;
 2. foreign PPMSE; and
 3. foreign PSP.
- (2) Domestic Merchant as referred to in paragraph (1) letter a point 1 includes merchant who performs PMSE through social media which provide PMSE means.

CHAPTER III REQUIREMENTS TO OPERATE BUSINESS ACTIVITIES

Article 3

- (1) Businesses must possess Business License in operating PMSE business activities.
- (2) PSP is exempted from provisions on the obligation to possess business license as referred to in paragraph (1) if it:
 - a. is not acting as party who receives benefit (beneficiary) directly from transaction; or
 - b. is not directly involved in contractual relationship of the parties who perform PMSE

Article 4

- (1) Domestic Merchant who performs business activities within general trading sector must possess Business License in accordance with provisions under laws and regulations on Trading Business License Certificate.
- (2) Domestic Merchant other than as referred to in paragraph (1) must possess Business License in accordance with provisions under laws and regulations within each sector.
- (3) In case domestic Merchant only performs the activities of retail trading via internet (online), Business License as referred to in paragraph (1) uses KBLI [Indonesian Standard Industrial Classification] 4791 (Retail Trading Through Postal or Internet Order).
- (4) Application for the issuance of Business License as referred to in paragraph (1) and paragraph (2) is filed to OSS Agency in accordance with provisions under laws and regulations.

Article 5

- (1) Foreign Merchant, in order to operate PMSE activities, must register number, name, and institution as the issuer of business license from country of origin, which is still valid, to domestic PPMSE which provides electronic communication means for foreign Merchant.
- (2) Domestic PPMSE as referred to in paragraph (1) must perform storing of data relating to foreign Merchant which is registered to its PMSE means.

Article 6

In case domestic Merchant is Micro Business and Small Business, application to secure Business is directly filed to OSS Agency in accordance with provisions under laws and regulations or through facility which informs and/or connects to the page of OSS Agency as facilitated by ministry, agency, Regional Government, or PPMSE.

Article 7

PPMSE which provides electronic communication means for Merchant should provide facility which informs and/or connects to the page of OSS Agency.

Article 8

- (1) Domestic PPMSE and PSP which is not exempted as referred to under Article 3 paragraph (2) must possess SIUPMSE.
- (2) Domestic Merchant who possesses its own PMSE means is classified into the category of domestic PPMSE and must possess SIUPMSE as referred to in paragraph (1).

Article 9

- (1) In order to secure SIUPMSE, domestic PPMSE and PSP which is not exempted as referred to under Article 3 paragraph (2), file application to Minister through OSS Agency.
- (2) Application as referred to in paragraph (1) which is filed to Minister should fulfill requirements as referred to in provisions under laws and regulations on electronically-integrated business licensing services within trading sector.
- (3) SIUPMSE as referred to in paragraph (1) is issued by OSS Agency for and in the name of Minister.
- (4) SIUPMSE prevails as long as domestic PPMSE and PSP which is not exempted as referred to in paragraph (1) operate its business activities and/or activities.

Article 10

- (1) SIUPMSE as referred to under Article 9 effectively prevails after domestic PPMSE and PSP which is not exempted as referred to under Article 3 paragraph (2) fulfill Commitments.
- (2) Commitments as referred to in paragraph (1) consist of:
 - a. Registration Certificate as Electronic System Provider which is issued by authorized institution within a time period of 14 (fourteen) business days at maximum after SIUPMSE was issued;

- b. website address and/or name of application;
 - c. Customer complaint service in the forms of contact number and/or email (*surat elektronik*) address; and
 - d. Customer complaint service which contains information on Customer call center of Directorate General of Customer Protection and Commercial Order;
- (3) Customer complaint service as referred to in paragraph (2) letter c and letter d should be clearly displayed on the page which is easily to be read by Customer.
- (4) Contact number and/or email (*surat elektronik*) address of Customer complaint service as referred to in paragraph (2) letter c must be contactable and responded/answered.

Article 11

Issuance of SIUPMSE is free of charge.

Article 12

- (1) Domestic PPMSE and PSP which is not exempted as referred to under Article 3 paragraph (2) which have possessed SIUPMSE and foreign PPMSE which have appointed representative, are displayed on special page on the website of Ministry of Trade.
- (2) Domestic PPMSE, PSP which is not exempted, and foreign PPMSE as referred to in paragraph (1) should place information which is clear and easily to be seen by Customer that domestic PPMSE, PSP which is not exempted and foreign PPMSE in question have been registered on the website of Ministry of Trade.
- (3) Placement of information as referred to in paragraph (2) in order to explain the status of domestic PPMSE, PSP which is not exempted, and foreign PPMSE as referred to in paragraph (1) have been registered on the website of Ministry of Trade to Customer.

Article 13

In case domestic PPMSE, PSP which is not exempted as referred to under Article 3 paragraph (2), and foreign PPMSE which has appointed representative, ceases its

business activities, the owner, management, or person-in-charge must submit report, data, and/or information electronically through OSS Agency.

Article 14

Domestic PPMSE and/or foreign PPMSE must submit data and/or information to governmental agency which organizes governmental affairs within the statistic sector in accordance with provisions under laws and regulations.

Article 15

- (1) Foreign PPMSE as referred to under Article 2 paragraph (1) letter b which fulfills certain criteria must appoint representative which is domiciled within the jurisdiction of the Unitary State of the Republic of Indonesia, which may act as and in the name of PPMSE in question.
- (2) Certain criteria for foreign PPMSE as referred to in paragraph (1) consist of:
 - a. has performed transactions with more than 1,000 (one thousand) Customers within one-year period; and/or
 - b. has performed delivery in sum of more than 1,000 (one thousand) packages to Customer within one-year period.
- (3) Assessment of certain criteria as referred to in paragraph (2) is performed by team which is established by Minister by involving related ministry/agency.
- (4) Appointment of representative as referred to in paragraph (1) is performed in accordance with provisions on KP3A within PMSE sector as addressed under this Regulation of the Minister.

CHAPTER IV DIGITAL ADVERTISEMENTS

First Division General

Article 16

- (1) Businesses may produce and/or perform the delivery of Digital Advertisement for marketing or promotional purposes.
- (2) Digital Advertisement as referred to in paragraph (1) encompasses information which is presented through electronic media and/or electronic communication channel means.
- (3) Production of Digital Advertisement as referred to in paragraph (1) encompasses the production, publication, and dissemination of Digital Advertisement for marketing or promotional purposes.

Article 17

- (1) Delivery of Digital Advertisement as referred to under Article 16 paragraph (1) may be presented in online real time or connected offline with time delay through electronic communication means, either telecommunication, broadcasting or internet channels.
- (2) Digital Advertisement as referred to in paragraph (1) may be presented by itself or through third party acting as PMSE application mean provider.
- (3) Digital Advertisement as referred to in paragraph (1) complies with provisions under laws and regulations within the sectors of broadcasting, protection of privacy and personal data, Customer protection, and not be in contradictory with fair business competition principles.

Article 18

Businesses which produce, provide means, and/or disseminate Digital Advertisement must ascertain the substance or content of Digital Advertisement which is presented is

not in contradictory with provisions under laws and regulations and be held liable for substance or content of Digital Advertisement.

Second Division

General Requirements for Contents of Digital Advertisements

Article 19

- (1) Digital Advertisement as referred to under Article 16 paragraph (1) should contain content which is in accordance with advertising ethic codes and provisions under laws and regulations.
- (2) Airing of Digital Advertisement should fulfill the following provisions:
 - a. not deceiving Customer on quality, quantity, ingredient, function and price of Goods and/or tariff of Services, as well as punctuality on the retrieval of Goods and/or Services;
 - b. not deceiving guarantee or warranty of Goods and/or Services;
 - c. not containing information which is false, wrong, or inaccurate on Goods and/or Services;
 - d. containing information on consumption risk of Goods and/or Services;
 - e. not exploiting event and/or a person without any permit from the authorized party or consent from the person in question; and
 - f. providing exit function from the airing of Digital Advertisement which is shown with the close, skip, or shutdown button and be placed on clear spot, therefore making it easy for Customer to close Digital Advertisement in question.
- (3) Airing of Digital Advertisement which shows review and testimony from Customer who has ever consumed goods and/or services should include/possess and ascertain the veracity of information on identity of legal subject in question and be performed in accountable manner.

Third Division
Supervision and Termination of Digital Advertisement

Article 20

- (1) Supervision of Digital Advertisement may be performed by the public and Government.
- (2) Public, in the course of performing supervision as referred to in paragraph (1), may submit complaint to content of Digital Advertisement to Businesses and/or Director General of PKTN.
- (3) Director General of PKTN may establish technical team in order to perform evaluation of public complaint as referred to in paragraph (2).
- (4) Evaluation result of technical team as referred to in paragraph (3) takes form as recommendation which is delivered to unit which handles supervision at ministry/non-ministerial governmental agency in accordance with its authority.

CHAPTER V
PRIORITY ON DOMESTIC PRODUCTS

Article 21

In the course of performing PMSE, Businesses must assist Governmental programs, *inter alia*:

- a. prioritizing trading of Goods and/or Services which are output of domestic production;
- b. increasing competitiveness of Goods and/or Services which are output of domestic production; and
- c. domestic PPMSE must provide promotional space facility for Goods and/or Services which are output of domestic production.

Article 22

- (1) Priority on trading of Goods and/or Services which are output of domestic production as referred to under Article 21 letter a is performed in the forms of:
 - a. Development of business partnership with Micro-and-Small Business which may take form as business meeting, trading forum, and local trade mission or other types of partnership, both online or offline; and/or
 - b. Increasing of access to marketing of products of Micro-and-Small Business.
- (2) Forms of priority on trading of Goods and/or Services which are output of domestic production as referred to in paragraph (1) are also performed toward Creative Economy Actors.

Article 23

- (1) Increasing competitiveness of Goods and/or Services which are output of domestic production as referred to under Article 21 letter b is performed in the forms of:
 - a. education through online or offline media;
 - b. online or offline meeting in the forms of workshop, seminar, discussion, communication forum, technical guidance, and trading counseling toward Micro-and-Small Business businesses; and/or
 - c. other forms of activity which may increase competitiveness of Goods and/or Services which are output of domestic production.
- (2) Forms of increasing competitiveness of Goods and/or Services which are output of domestic production as referred to in paragraph (1) are also performed toward Creative Economy Actors.

Article 24

Provision of promotional facility of Goods and/or Services which are output of domestic production as referred to under Article 21 letter c is performed in the forms of:

- a. holding of exhibition, either independent exhibition or participative exhibition, either online or offline;
- b. provision of main page and/or special page for marketing (landing page) in order to promote potential Domestic Products; and/or

- c. performance of promotional activities which may take form as discount, cut of price, and/or shipping fees for domestic products.

CHAPTER VI

KP3A WITHIN PMSE SECTOR

Article 25

- (1) Foreign PPMSE which has fulfilled certain criteria as referred to under Article 15 appoints representative which is domiciled within the jurisdiction of the Unitary State of the Republic of Indonesia in the forms of KP3A within PMSE sector.
- (2) KP3A within PMSE sector as referred to in paragraph (1) may only represent 1 (one) foreign PPMSE.
- (3) KP3A within PMSE sector as referred to in paragraph (1) may open branch office upon approval of foreign PPMSE which is represented.
- (4) KP3A within PMSE sector as referred to in paragraph (1) is located in the capital of province and/or regency/city in all regions of the Unitary State of the Republic of Indonesia.

Article 26

- (1) KP3A within PMSE sector as referred to under Article 25 paragraph (1) must possess SIUP3A within PMSE sector.
- (2) In order to secure SIUP3A within PMSE sector as referred to in paragraph (1), KP3A within PMSE sector files application to OSS Agency.
- (3) Application as referred to in paragraph (2) is filed by completing the following requirements:
 - a. proof on appointment of KP3A within PMSE sector as representative by foreign PPMSE which has been legalized by Public Notary and Certificate from Trading Attaché of the Republic of Indonesia or official at representative office of the Republic of Indonesia in the country of foreign PPMSE;
 - b. copy of articles of association/incorporation (*rekaman anggaran dasar*) of foreign PPMSE;

- c. identity of head of KP3A within PMSE sector which is proven with Residency Identity Card for Indonesian nationals and passport for foreign nationals;
 - d. recruitment of manpower, to attach affidavit on number of manpower which is recruited, as well as copy of identity and work certificate [*surat keterangan kerja*];
 - e. submitting website address and/or application name of foreign PPMSE which is represented; and
 - f. submit contact Number and/or email address for Customer complaint service from foreign PPMSE which is represented.
- (4) Proof on appointment as referred to in paragraph (3) letter a and copy of articles of association/incorporation (*rekaman anggaran dasar*) as referred to in paragraph (3) letter b should be translated into Indonesian Language by sworn translator.
- (5) Proof on appointment as referred to in paragraph (3) letter a at least consists of authority of KP3A within PMSE sector to represent foreign PPMSE in:
- a. fulfilling customer protection obligation;
 - b. performing governance in order to increase competitiveness; and
 - c. dispute resolution.

Article 27

Asides from requirements as referred to under Article 26 paragraph (3), KP3A within PMSE sector must submit Registration Certificate as Electronic System Provider in the name of Foreign PPMSE which is represented, as issued by authorized institution within a time period of 14 (fourteen) business days at maximum after SIUP3A within PMSE sector was issued.

Article 28

- (1) SIUP3A within PMSE sector also prevails as Business License for branch office as referred to under Article 25 paragraph (3).
- (2) SIUP3A within PMSE sector prevails as long as KP3A operates its business and/or activity as representative.

Article 29

- (1) SIUP3A within PMSE sector as referred to under Article 26 paragraph (1) is used by KP3A within PMSE sector to act as and in the name of foreign PPMSE which is represented in relation to Customer protection purposes, governance in order to increase competitiveness of domestic product, and dispute resolution.
- (2) KP3A within PMSE sector is prohibited from performing act other than as referred to in paragraph (1).

Article 30

In case there is termination of representative relationship in unilateral manner, foreign PPMSE must appoint new representative within a time period of 14 (fourteen) days after one of the parties states such termination of relationship in writing.

CHAPTER VII

GOVERNANCE AND SUPERVISION

Article 31

Minister is authorized to perform governance and supervision of PMSE.

Article 32

- (1) Minister performs governance as referred to under Article 31 by the way of:
 - a. improving competence of human resources of Domestic Businesses;
 - b. increasing competitiveness of Domestic Businesses in PMSE;
 - c. facilitating the increasing of competitiveness of domestic products in PMSE;
 - d. facilitating promotion of domestic products for domestic and export markets;
 - e. promoting and urging the use of PMSE;
 - f. increasing public financial inclusion using PMSE;
 - g. providing database of Businesses and domestic products; and
 - h. striving for provision of other facilitations in accordance with provisions under laws and regulations.

- (2) In the course of performing governance as referred to in paragraph (1), Minister enters into coordination and collaboration with related institutions in accordance with each authority.
- (3) Coordination and collaboration with related institution as referred to in paragraph (2) may be performed in the forms of team which is determined by Minister.
- (4) Team as referred to in paragraph (3) is headed by Director General of PDN and has members of echelon-I official from each related institution.

Article 33

- (1) Minister performs supervision as referred to under Article 31 by prioritizing protection and security of national interest from negative effect of PMSE from overseas.
- (2) Supervision as referred to in paragraph (1) is performed based on supervisory parameters within trading sector and within customer-protection sector in accordance with provisions under laws and regulations.

Article 34

Minister delegates authority to perform supervision as referred to under Article 33 to Director General of PKTN.

Article 35

- (1) In the course of performing supervision, Director General of PKTN is assisted by supervisory assisting team which is cross-sectors in nature.
- (2) Supervisory assisting team as referred to in paragraph (2) is established by the Minister.

Article 36

- (1) In the event of governance and supervision as referred to under Article 31, Minister may request data and/or information of company and business activity of Businesses.

- (2) Request of data and/or information of company and business activity of Businesses as referred to in paragraph (1) is performed in cases:
 - a. updated, accurate, and prompt data are required; and
 - b. data which are requested are not encompassed in data and/or information which are delivered to governmental agency which organizes governmental affairs within statistic sector as referred to under Article 14.

Article 37

- (1) In the event of governance, data and/or information of company and business activity of Businesses as referred to under Article 36 are submitted to Minister through Director General of PDN.
- (2) Types of data and/or information of company and business activity of Businesses as referred to in paragraph (1) may take form as individual and/or granular data.

Article 38

Submission of data and/or information of company and business activity of Businesses in the event of supervision as referred to under Article 36 is performed in accordance with provisions under laws and regulations.

SAMPINGAN
SAMPE KAYA
CHAPTER VIII

ADMINISTRATIVE SANCTIONS

Article 39

- (1) In case the outcome of supervision as referred to under Article 33, violation of provisions on the implementation of PMSE is found, then against Businesses which commit violation, administrative sanction is imposed by the Minister.
- (2) Minister delegates authority for imposition of administrative sanction as referred to in paragraph (1) to Director General of PKTN.

Article 40

- (1) Domestic Merchant who violates provisions as referred to under Article 4 paragraph (1) of foreign Merchant who violates provisions as referred to under Article 5 paragraph (1), is imposed with administrative sanction in the forms of reprimand.
- (2) Reprimand as referred to in paragraph (1) is imposed for 3 (three) times at maximum with grace period of each reprimand is 14 (fourteen) days at maximum.
- (3) If within the time period as referred to in paragraph (2), domestic Merchant continues to fail to perform obligation as referred to under Article 4 paragraph (1) or foreign Merchant continues to fail to perform obligation as referred to under article 5 paragraph (1), administrative sanction in the forms of inclusion in blacklist is imposed.
- (4) Asides from being imposed with administrative sanction in the forms of inclusion in blacklist as referred to in paragraph (3), domestic Merchant or foreign Merchant is imposed with administrative sanction in the forms of order on termination of business activities in accordance with provisions under laws and regulations on Trading.

Article 41

- (1) In case domestic Merchant or foreign Merchant is imposed with sanction as referred to under Article 40 paragraph (4), PPMSE or PSP must perform blocking of PMSE service for domestic Merchant or foreign Merchant.
- (2) If PPMSE or PSP fails to fulfill provisions as referred to in paragraph (1), it is imposed with administrative sanction in the forms of reprimand.
- (3) Reprimand as referred to in paragraph (2) is imposed for 3 (three) times at maximum with grace period of each reprimand is 14 (fourteen) days at maximum.
- (4) If within the time period as referred to in paragraph (3), PPMSE and PSP continue to fail to fulfill provisions as referred to in paragraph (1), they are imposed with administrative sanction in the forms of temporary blocking of service of PPMSE and PSP by authorized related institution.
- (5) Temporary blocking of service of PPMSE and PSP by authorized related institution as referred to in paragraph (3) is upon request from Director General of PKTN.

Article 42

Domestic Merchant who violates provisions as referred to under Article 4 paragraph (2), is imposed with sanction in accordance with provisions under laws and regulations.

Article 43

- (1) Domestic PPMSE which violates provisions as referred to under Article 5 paragraph (2), is imposed with administrative sanction in the forms of reprimand.
- (2) Reprimand as referred to in paragraph (1) is imposed for 3 (three) times at maximum with grace period of each reprimand is 14 (fourteen) days at maximum.
- (3) If within the time period as referred to in paragraph (2), domestic PPMSE continues to fail to perform obligation as referred to under Article 5 paragraph (2), it is imposed with administrative sanction in the forms of inclusion in the supervisory priority list.
- (4) Administrative sanction in the forms of inclusion in the supervisory priority list as referred to in paragraph (3) is imposed with grace period of 14 (fourteen) days at maximum.
- (5) If within the time period as referred to in paragraph (4), domestic PPMSE continues to fail to perform obligation as referred to under Article 5 paragraph (2), it is imposed with administrative sanction in the forms of temporary blocking of PPMSE service by authorized related institution.
- (6) Temporary blocking of PPMSE service by authorized related institution as referred to in paragraph (4) is upon request from Director General of PKTN.

Article 44

- (1) Domestic PPMSE and PSP which is not exempted as referred to under Article 3 paragraph (2) which violate provisions as referred to under Article 8, are imposed with administrative sanction in the forms of reprimand.
- (2) Reprimand as referred to in paragraph (1) is imposed for 3 (three) times at maximum with grace period of each reprimand is 14 (fourteen) days at maximum.
- (3) If within the time period as referred to in paragraph (2), domestic PPMSE and PSP which are not exempted as referred to in paragraph (1) which continue to fail to perform obligation as referred to under Article 8, are imposed with administrative

sanction in the forms of being included in blacklist and temporary blocking of service of PPMSE and PSP by authorized related institution.

- (4) Temporary blocking of service of PPMSE and PSP by authorized related institution as referred to in paragraph (3) is performed by authorized institution upon request from Director General of PKTN.

Article 45

- (1) Domestic PPMSE and/or foreign PPMSE which violate provisions as referred to under Article 14, are imposed with administrative sanction in the forms of reprimand.
- (2) Reprimand as referred to in paragraph (1) is imposed for 3 (three) times at maximum with grace period of each reprimand is 14 (fourteen) days at maximum.
- (3) If within the time period as referred to in paragraph (2), domestic PPMSE and/or foreign PPMSE which continue to fail to perform obligation as referred to under Article 14, are imposed with administrative sanction in the forms of being included in blacklist and temporary blocking of PPMSE service by authorized related institution.
- (4) Temporary blocking of PPMSE service by authorized related institution as referred to in paragraph (3) is performed by authorized institution upon request from Director General of PKTN.

Article 46

- (1) Foreign PPMSE which violates provisions as referred to under Article 15 paragraph (1) and Article 30, is imposed with administrative sanction in the forms of reprimand.
- (2) Reprimand as referred to in paragraph (1) is imposed for 3 (three) times at maximum with grace period of each reprimand is 14 (fourteen) days at maximum.
- (3) If within the time period as referred to in paragraph (2), foreign PPMSE continues to fail to perform obligation as referred to under Article 8 paragraph (1) and Article 30, it is imposed with administrative sanction in the forms of being included in blacklist and temporary blocking of PPMSE service by authorized related institution.

- (4) Temporary blocking of PPMSE service by authorized related institution as referred to in paragraph (3) is performed by authorized institution upon request from Director General of PKTN.

Article 47

- (1) Businesses which produce and/or disseminate Digital Advertisement which violates obligation as referred to under Article 18, are imposed with administrative sanction in the forms of reprimand.
- (2) Reprimand as referred to in paragraph (1) is imposed for 3 (three) times at maximum with grace period of each reprimand is 14 (fourteen) days at maximum.
- (3) If within the time period as referred to in paragraph (2), Businesses continue to fail to perform obligation as referred to under Article 18, they are imposed with administrative sanction in the forms of inclusion in supervisory priority list.
- (4) Administrative sanction in the forms of inclusion in supervisory priority list as referred to in paragraph (3) is imposed with a grace period of 14 (fourteen) days at maximum.
- (5) If within the time period as referred to in paragraph (4), Businesses continue to fail to perform obligation as referred to under Article 18, they are imposed with administrative sanction in the forms of revocation of Business License.

Article 48

Businesses which violate obligation as referred to under Article 21, are imposed with administrative sanction in the forms of reprimand.

Article 49

- (1) KP3A within PMSE sector which violates provisions as referred to under Article 25 paragraph (2), Article 26 paragraph (1), Article 27, and Article 29 paragraph (2) is imposed with administrative sanction in the forms of reprimand and order for termination of activities of KP3A within PMSE sector.
- (2) Reprimand as referred to in paragraph (1) is imposed for 3 (three) times at maximum with grace period of each reprimand is 14 (fourteen) days at maximum.

- (3) Order for termination of activities of KP3A within PMSE sector as referred to in paragraph (1) is performed by Director General of PKTN in the name of the Minister.

Article 50

- (1) In case Businesses which are imposed with administrative sanction in the forms of inclusion in supervisory priority list as referred to under Article 43 paragraph (3) and Article 47 paragraph (3) have fulfilled provisions as referred to under this Regulation of the Minister, Businesses may file request to be excluded from supervisory priority list to Director General of PKTN.
- (2) In case Businesses which are imposed with administrative sanction in the forms of being included in blacklist as referred to under Article 40 paragraph (3), Article 44 paragraph (3), Article 45 paragraph (3), and Article 46 paragraph (3), have fulfilled provisions as referred to under this Regulation of the Minister, Businesses may file request to be excluded from blacklist to Director General of PKTN.
- (3) In case Businesses which are imposed with administrative sanction in the forms of temporary blocking of PMSE service by authorized related institution as referred to under Article 41 paragraph (4), Article 43 paragraph (5), Article 44 paragraph (3), Article 45 paragraph (3), and Article 46 paragraph (3) have fulfilled provisions as referred to under this Regulation of the Minister, Businesses may file request for the lifting of temporary blocking of PMSE service to Director General of PKTN.
- (4) In case domestic Merchant or foreign Merchant as referred to under Article 40 paragraph (4) who is imposed with sanction in the forms of order for termination of business activities and KP3A within PMSE sector as referred to under Article 49 paragraph (1) which is imposed with sanction in the forms of order for termination of activities of KP3A within PMSE sector have fulfilled provisions as referred to under this Regulation of the Minister, domestic Merchant, foreign Merchant, and KP3A within PMSE sector may re-operate their business activities.

Article 51

- (1) Director General of PKTN performs evaluation of request as referred to under Article 50 paragraph (1) up to paragraph (3) within 5 (five) business days at maximum since the request was retrieved.
- (2) If the result of evaluation of request as referred to in paragraph (1) is granted, Director General of PKTN:
 - a. excludes Businesses from supervisory priority list and blacklist; and/or
 - b. files request for the lifting of temporary blocking of PMSE service to authorized related institution.

CHAPTER IX TRANSITIONAL PROVISIONS

Article 52

Business license which has been secured by domestic PPMSE, domestic Merchant, and domestic PSP prior to the enforcement of this Regulation of the Minister, continues to prevail insofar:

- a. its validity period has not yet expired or has not yet been revoked; and
- b. be registered to OSS system.

CHAPTER X
FINAL PROVISIONS

Article 53

This Regulation of the Minister enters into force after 6 (six) months since its promulgation date.

For the purposes of public cognizance, it has been ordered that the promulgation of this Regulation of the Minister should be achieved through its publication in the Official Gazette of the Republic of Indonesia.

Established in Jakarta

on 13 May 2020

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

signed.

AGUS SUPARMANTO

Promulgated in Jakarta

on 19 May 2020

DIRECTOR GENERAL OF

LAWS AND REGULATIONS

MINISTRY OF LAW AND HUMAN RIGHTS OF

THE REPUBLIC OF INDONESIA,

signed.

WIDODO EKATJAHJANA

OFFICIAL GAZETTE OF THE REPUBLIC OF INDONESIA OF 2020 NUMBER 498