

**REGULATION OF THE FINANCIAL SERVICES AUTHORITY**  
**NUMBER 18/POJK.07/2018**  
**ON**  
**CONSUMER COMPLAINT SERVICE WITHIN FINANCIAL-SERVICES SECTOR<sup>1</sup>**

BY THE GRACE OF GOD ALMIGHTY

BOARD OF COMMISSIONERS OF FINANCIAL SERVICES AUTHORITY,

Considering:

- a. that one of the purposes of the establishment of Financial Services Authority is to realize the entirety of activities within financial-services sector which are able to protect the interest of consumer and the public;
- b. that one of the means to realize activity which is able to protect consumer interest is by imposing obligation to financial-services businesses to possess consumer complaint service;
- c. that consumer complaint service is the platform to accommodate consumer's grievance, including the existence of potential economic losses over product and/or service of financial-services businesses which are utilized by consumer;
- d. that based on considerations as referred to in letter a up to letter c, it is deemed necessary to establish Regulation of the Financial Services Authority on Consumer Complaint Service within Financial-Services Sector;

In view of:

Law [Number 21 of 2011](#) on Financial Services Authority (State Gazette of the Republic of Indonesia of 2011 Number 111; Supplement to the State Gazette of the Republic of Indonesia Number 5253);

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HAS DECIDED:

To establish:

REGULATION OF THE FINANCIAL SERVICES AUTHORITY ON CONSUMER COMPLAINT SERVICE WITHIN FINANCIAL-SERVICES SECTOR.

## **CHAPTER 1 GENERAL PROVISIONS**

### **Article 1**

Under this Regulation of the Financial Services Authority, the following definitions are employed:

1. Financial-Services Businesses, hereinafter abbreviated as PUJK [*Pelaku Usaha Jasa Keuangan*], are Commercial Bank, Rural Bank, Securities Broker-Dealer, Investment Manager, Pension Fund, Insurance Company, Reinsurance Company, Financing Agency, Pawnbroker Company, Guarantee Company, and Operator of Information-Technology-Based Money-Lending Service, both operating their business activities in conventional and sharia manners, based on laws and regulations within financial-services sector.
2. Consumer is party who places its funds and/or utilizes service which is available at PUJK.
3. Consumer's Representative is party who acts for and on behalf of Consumer based on special power of attorney from Consumer.
4. Board of Directors for PUJK or Board-of-Directors' Equivalent Organ at Incorporated Entity, hereinafter referred to as Board of Directors, is:
  - a. organ which performs management function of PUJK for the interest of PUJK in accordance with the objective and purpose of respective PUJK, as well as represents PUJK, both in and out of court in accordance with provisions in articles of association; or

- b. head of branch office and officer with one-level below the head of branch office for PUJK which has the status as branch office of PUJK which is domiciled overseas.
5. Board of Commissioners for PUJK or Board-of-Commissioners' Equivalent Organ at Incorporated Entity, hereinafter referred to as Board of Commissioners, is:
  - a. organ at respective PUJK which assumes the role to perform supervisory function in general and/or specific manners in accordance with articles of association, as well as gives advice for Board of Directors; or
  - b. party whom is appointed to perform supervisory function for PUJK which has the status as branch office of PUJK which is domiciled overseas.
6. Complaint is expression of dissatisfaction of Consumer, either verbally or in writing, which is triggered by the existence of losses and/or potential economic, reasonable and direct losses of Consumer due to the unfulfillment of financial-transaction agreement and/or document which have been agreed.
7. Complaint Service is service which is provided by PUJK to strive for settlement of Complaint within financial-services sector.
8. Complaint Response is explanation of issue or proposal for final settlement from PUJK to Consumer verbally or in writing.
9. Financial Transaction is the utilization of financial-services product and/or service of PUJK and/or other party which is offered through PUJK.

## **CHAPTER II**

### **PURPOSE, SCOPE, AND PRINCIPLE OF COMPLAINT SERVICE**

#### **First Division**

#### **Purpose of Complaint Service**

#### **Article 2**

Purpose of Complaint Service is to perform settlement of Complaint in providing Consumer protection.

## **Second Division**

### **Scope of Complaint Service**

#### **Article 3**

Scope of Complaint Service consists of:

- a. receipt of Complaint;
- b. handling of Complaint; and
- c. settlement of Complaint.

## **Third Division**

### **Principle of Complaint Service**

#### **Article 4**

PUJK is prohibited from imposing fees for Complaint Service to Consumer.

#### **Article 5**

- (1) PUJK must possess written procedure on Complaint Service.
- (2) PUJK must include brief procedure of Complaint Service as referred to in paragraph (1) in Financial Transaction agreement and/or document.

#### **Article 6**

- (1) PUJK must publish:
  - a. brief procedure of Complaint Service to Consumer and/or the public; and
  - b. handling of Complaint which is received by PUJK in annual report, website (*laman*) of PUJK and/or other media which are officially managed by PUJK.
- (2) Further provisions on publication of handling of Complaint are addressed under Circular of the Financial Services Authority.

## **CHAPTER III COMPLAINT SERVICE**

### **First Division Receipt of Complaint**

#### **Article 7**

- (1) PUJK must receive and record any Complaint which is submitted by Consumer and/or Consumer's Representative.
- (2) Complaint as referred to in paragraph (1) may be performed verbally and/or in writing.
- (3) Receipt of Complaint as referred to in paragraph (1) is performed at every office of PUJK.

#### **Article 8**

PUJK must provide explanation to Consumer and/or Consumer's Representative on brief procedure of Complaint Service when Consumer and/or Consumer's Representative submit Complaint.

#### **Article 9**

- (1) PUJK must perform verification in order to ascertain the veracity of information on Consumer.
- (2) In case of verbal Complaint, PUJK performs verification when Complaint is submitted by Consumer and/or Consumer's Representative.
- (3) In case of written Complaint, PUJK performs verification by performing review of the completeness of document which is submitted by Consumer and/or Consumer's Representative.

## **Article 10**

- (1) PUJK must handle Complaint in writing in case Consumer and/or Consumer's Representative have completed the predetermined document.
- (2) Predetermined document by PUJK as referred to in paragraph (1) consists of:
  - a. identity of Consumer and/or Consumer's Representative;
  - b. special power of attorney;
  - c. type and date of Financial Transaction; and
  - d. complained issue.
- (3) Special power of attorney as referred to in paragraph (2) letter b is submitted in case Consumer authorizes Complaint process to Consumer's Representative.
- (4) In case Consumer and/or Consumer's Representative possess document which directly relates to submitted issue, PUJK may determine such document as document which is mandatory to be completed by Consumer and/or Consumer's Representative.
- (5) In case Consumer and/or Consumer's Representative are yet to fulfill document as referred to in paragraph (2) and/or paragraph (4), PUJK must inform and request the lack of document in question from Consumer and/or Consumer's Representative.
- (6) PUJK must give opportunity to Consumer and/or Consumer's Representative within the time period of 20 (twenty) business days to complete the lack of document as referred to in paragraph (5).
- (7) In case there is special condition, PUJK may extend time period as referred to in paragraph (6) within 20 (twenty) business days.
- (8) Special condition as referred to in paragraph (7), is:
  - a. required document does not exist within the domicile of Consumer; and/or
  - b. there are other matters which are beyond the control of Consumer.

## **Article 11**

- (1) PUJK must deliver confirmation on receipt of Complaint to Consumer and/or Consumer's Representative who submits Complaint verbally.
- (2) Confirmation on receipt of Complaint as referred to in paragraph (1) at least consists of:

- a. register number of Complaint; and
  - b. receipt date of Complaint.
- (3) Confirmation on receipt of Complaint as referred to in paragraph (2) is delivered by employee at Complaint Service function or unit who receives Complaint.

#### **Article 12**

- (1) PUJK must deliver proof of receipt of Complaint to Consumer and/or Consumer's Representative who submit Complaint in writing.
- (2) Proof of receipt of Complaint as referred to in paragraph (1) at least consists of:
  - a. register number of Complaint;
  - b. receipt date of Complaint; and
  - c. phone number of PUJK's Complaint Service function or unit which is contactable by Consumer and/or Consumer's Representative.
- (3) Proof of receipt of Complaint as referred to in paragraph (2) is signed or issued by employee at Complaint Service function or unit which receives Complaint.

#### **Article 13**

Further provisions on receipt of Complaint are addressed under Circular of the Financial Services Authority.

### **Second Division Handling of Complaint**

#### **Article 14**

- (1) After receiving complaint of Consumer and/or Consumer's Representative, PUJK must perform follow-up in the forms of:
  - a. internal examination of Complaint in competent, veracious, and objective manners; and
  - b. analysis to ascertain the veracity of Complaint.
- (2) If necessary, PUJK may request document or information from Consumer and/or other party.

### **Article 15**

- (1) PUJK must perform follow-up and settle verbal Complaint no later than 5 (five) business days since Complaint was received by PUJK.
- (2) In case PUJK requires additional document for Complaint which is submitted by Consumer and/or Consumer's Representative in verbal as referred to in paragraph (1), PUJK requests Consumer and/or Consumer's Representative to submit Complaint in writing by attaching the required supporting document.

### **Article 16**

- (1) PUJK must perform follow-up and perform settlement of written Complaint no later than 20 (twenty) business days since the document which is directly related to the Complaint as referred to under Article 10 paragraph (2) and/or paragraph (4) has been completely received.
- (2) In case there is special condition, PUJK may extend time period for no longer than 20 (twenty) business days since the time period as referred to in paragraph (1) expires.
- (3) Special condition as referred to in paragraph (2) is:
  - a. PUJK's office which receives Complaint is not the same with PUJK's office where the complained issue took place and there is communication difficulty between those two PUJK's offices;
  - b. Complaint which is submitted by Consumer and/or Consumer's Representative requires specific investigation against PUJK's document; and/or
  - c. there are other matters which are beyond the control of PUJK.
- (4) Extension of time period for settlement of Complaint as referred to in paragraph (2) must be notified in writing to Consumer and/or Consumer's Representative who file the Complaint before the time period as referred to in paragraph (1) expires.
- (5) Settlement of Complaint past time period as referred to in paragraph (1) and paragraph (2), may be performed by PUJK with the following requirements:
  - a. settlement of Complaint requires follow-up by other party; and



- b. follow-up which is performed by such other party affects time period for settlement of Complaint as referred to in paragraph (1) and paragraph (2).
- (6) In case other party as referred to in paragraph (5) is PUJK, other party in question must submit follow-up of Complaint within time period of no later than 20 (twenty) business days since the date of follow-up request from PUJK which received initial Complaint.
- (7) Settlement of Complaint past time period as referred to in paragraph (5) must be notified in writing to Consumer and/or Consumer's Representative.

#### **Article 17**

- (1) In case Complaint relates to PUJK's employee who has the authority to settle Complaint, handling of Complaint must be transferred to another employee who at minimum occupies the equivalent position level with the relevant employee.
- (2) In case Complaint relates to the head of PUJK's office where Consumer experiences issue, handling of Complaint must be settled by employee at Complaint Service function or unit at PUJK's headquarter or at other office, who at minimum occupies the equivalent position level with the relevant head of PUJK's office.

#### **Article 18**

PUJK must provide information on handling status of Complaint when Consumer and/or Consumer's Representative request explanation from PUJK on its submitted Complaint.

#### **Article 19**

PUJK may refuse to handle Complaint if:

- a. Consumer and/or Consumer's Representative do not complete the prerequisite document in accordance with the predetermined time period;
- b. previous Complaint has been settled by PUJK in accordance with this Regulation of the Financial Services Authority;
- c. Complaint does not relate to losses and/or potential economic, reasonable, and direct losses as addressed in Financial Transaction agreement and/or document; and/or

- d. Complaint does not relate to Financial Transaction which is issued by PUJK in question.

### **Article 20**

Further provisions on handling of Complaint are addressed under Circular of the Financial Services Authority.

## **Third Division Settlement of Complaint**

### **Article 21**

- (1) PUJK must provide Complaint Response to Consumer and/or Consumer's Representative for received Complaint.
- (2) In case Complaint is submitted in writing, PUJK delivers Complaint Response in writing.
- (3) In case Complaint is submitted verbally, PUJK delivers Complaint Response verbally and/or in writing.

### **Article 22**

- (1) PUJK may deliver Complaint Response in the forms of:
  - a. explanation of the issue, in case there is no error from PUJK which causes losses and/or potential losses to Consumer; or
  - b. settlement offer, in case there is error from PUJK which causes losses and/or potential losses to Consumer.
- (2) PUJK may set time period for Consumer to agree or reject Complaint Response in the forms of settlement offer.
- (3) PUJK must perform settlement measure which is agreed in case Consumer and/or Consumer's Representative agree to Complaint Response in the forms of settlement offer from PUJK.
- (4) PUJK must provide written emphasis in case verbal Complaint Response is not agreed by Consumer and/or Consumer's Representative.

### **Article 23**

Further provisions on settlement of Complaint are addressed under Circular of the Financial Services Authority.

## **Fourth Division Objection to Complaint Response**

### **Article 24**

- (1) PUJK must handle objection from Consumer and/or Consumer's Representative against Complaint Response as delivered by PUJK if Consumer and/or Consumer's Representative submit new document which may result in change of PUJK's Complaint Response.
- (2) PUJK must settle objection which is submitted by Consumer and/or Consumer's Representative within time period as referred to under Article 16.
- (3) Further provisions on objection to Complaint response are addressed under Circular of the Financial Services Authority.

## **CHAPTER IV DISPUTE RESOLUTION WITHIN FINANCIAL-SERVICES SECTOR**

### **Article 25**

- (1) In case Consumer and/or Consumer's Representative reject Complaint Response from PUJK, then PUJK must convey information to Consumer and/or Consumer's Representative regarding dispute resolution remedy which is able to be exhausted through court or out-of-court.
- (2) Out-of-court dispute resolution as referred to in paragraph (1) is exhausted through Alternative Dispute Resolution Institution as addressed in the List of Alternative Dispute Resolution Institution which is determined by Financial Services Authority.
- (3) Clause for the selection of dispute resolution through court or out-of-court as referred to in paragraph (1), is addressed in Financial Transaction agreement and/or document between PUJK and Consumer.

## CHAPTER V

### COMPLAINT SERVICE FUNCTION OR UNIT

#### Article 26

- (1) PUJK must establish Complaint Service function or unit to receive and/or settle Complaint which is submitted by Consumer and/or Consumer's Representative.
- (2) Establishment of function or unit as referred to in paragraph (1) may be attached to other function or unit, unless to function or unit regarding compliance, risk management, and internal audit.
- (3) Complaint Service function or unit as referred to in paragraph (1) must be established at every PUJK's office.
- (4) In establishing Complaint Service function or unit as referred to in paragraph (1), PUJK considers:
  - a. total asset of PUJK;
  - b. number of PUJK's office;
  - c. number of financial-services product and/or service of PUJK;
  - d. number of Consumer; and/or
  - e. number of PUJK's human resources.

#### Article 27

Complaint Service function or unit assumes these duties at minimum:

- a. receiving, handling and settling Complaint as submitted by Consumer and/or Consumer's Representative;
- b. determining target of performance, monitoring, evaluation, and performance reporting in relation to Complaint Service;
- c. reporting to Board of Directors of PUJK regarding Complaint Service process, as well as giving recommendation for improvement and development of Complaint Service process;
- d. formulating and submitting Complaint Service report to Financial Services Authority through Board of Directors of PUJK;

- e. formulating content on handling of Complaint which will be included in annual report, website (*laman*), and/or other media which are officially managed by PUJK; and
- f. acting as liaison for the handling of Complaint as submitted by Consumer and/or Consumer's Representative for Financial Services Authority and/or other authority.

#### **Article 28**

PUJK must provide information mean to publish the existence of Complaint Service function or unit to the public.

#### **Article 29**

Employee of Complaint Service function or unit must at least possess:

- a. knowledge on type of financial-services product and/or service which are provided or issued by PUJK, as well as handling of Complaint; and
- b. authority to handle Complaint.

#### **Article 30**

Further provisions on Complaint Service function or unit are addressed under Circular of the Financial Services Authority.

SAMPINGAN  
SAMPE KAYA  
CHAPTER VI

### **HUMAN RESOURCES DEVELOPMENT**

#### **Article 31**

- (1) PUJK must perform Complaint Service training to PUJK's employee.
- (2) Further provisions on human resources development are addressed under Circular of the Financial Services Authority.

**CHAPTER VII**  
**ROLE OF BOARD OF DIRECTORS AND BOARD OF COMMISSIONERS OF PUJK**

**Article 32**

- (1) Board of Directors of PUJK must appoint:
  - a. member of Board of Directors, or officer with position one-level below Board of Directors at headquarter; and
  - b. officer and/or employee at every office other than headquarter, who operates Complaint Service function or unit.
- (2) Officer who operates Complaint Service function or unit as referred to in paragraph (1) letter a directly reports to Board of Directors of PUJK.
- (3) Board of Directors of PUJK must ascertain the formulation and implementation of Complaint Service procedure.

**Article 33**

Board of Commissioners of PUJK must ascertain that Board of Directors of PUJK possesses and implements Complaint Service procedure.

**Article 34**

Further provisions on role of Board of Directors and Board of Commissioners of PUJK are addressed under Circular of the Financial Services Authority.

**CHAPTER VIII**  
**COMPLAINT SERVICE PROCEDURE**

**Article 35**

- (1) Complaint Service procedure must be formulated with consideration given to the receiving mean of Complaint as possessed by PUJK.
- (2) Procedure as referred to in paragraph (1) must be implemented by PUJK.

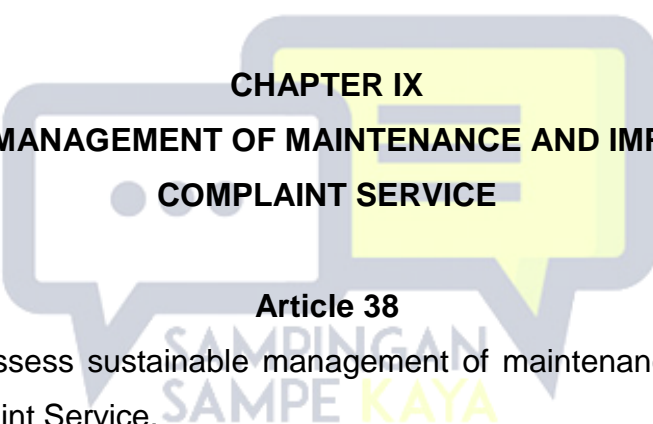
- (3) Complaint Service procedure at least consists of receipt of Complaint, handling of Complaint, settlement of Complaint, and authority of Complaint Service function or unit.

#### **Article 36**

Procedures for receipt, handling, and settlement of Complaint as referred to under Article 35, each must at least address obligation of Complaint Service function or unit in receiving, handling, and settling Complaint.

#### **Article 37**

Further provisions on Complaint Service procedure are addressed under Circular of the Financial Services Authority.



### **CHAPTER IX**

## **SUSTAINABLE MANAGEMENT OF MAINTENANCE AND IMPROVEMENT OF COMPLAINT SERVICE**

#### **Article 38**

- (1) PUJK must possess sustainable management of maintenance and improvement against Complaint Service.
- (2) Sustainable management of maintenance and improvement of Complaint Service as referred to in paragraph (1) encompasses:
  - a. collection of information;
  - b. analysis, evaluation, and report of Complaint Service;
  - c. audit on handling of Complaint;
  - d. management review; and
  - e. sustainable improvement.

### **Article 39**

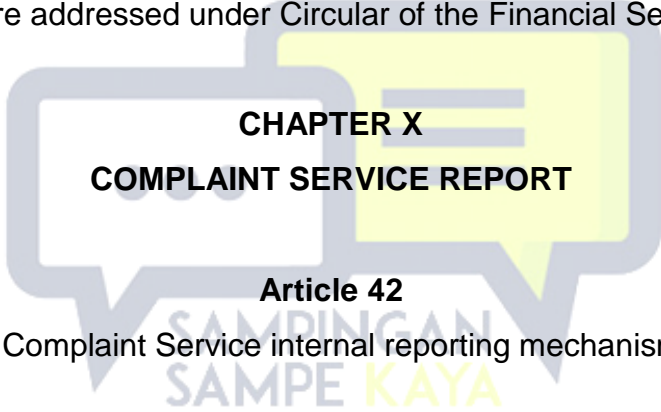
- (1) PUJK must maintain register on receipt of Complaint.
- (2) Register on receipt of Complaint as referred to in paragraph (1) at least consists of confirmation component for receipt of Complaint as referred to under Article 11 paragraph (2) and proof of receipt of Complaint as referred to under Article 12 paragraph (2).

### **Article 40**

PUJK must administer all documents relating to Consumer Complaint Service.

### **Article 41**

Further provisions on sustainable management of maintenance and improvement against Complaint Service are addressed under Circular of the Financial Services Authority.



## **CHAPTER X COMPLAINT SERVICE REPORT**

### **Article 42**

PUJK must possess Complaint Service internal reporting mechanism.

### **Article 43**

- (1) PUJK must formulate and submit Complaint Service report in quarterly manner to Financial Services Authority.
- (2) Complaint Service report as referred to in paragraph (1) is delivered to Financial Services Authority no later than the 10<sup>th</sup> date of the following month after the quarterly period expires.
- (3) In case the deadline for submission of Complaint Service report as referred to in paragraph (2) falls on Saturday, Sunday or holiday, Complaint Service report is submitted on the following 1 (one) business day.
- (4) Submission of Complaint Service report is performed through electronic reporting system as provided by Financial Services Authority.



- (5) In case submission of Complaint Service report through electronic reporting system as referred to in paragraph (4) undergoes interference, then submission is performed through mail to Financial Services Authority designated to Executive Head of Supervisory Sector in accordance with the respective industry of PUJK with carbon copy given to the task unit at Education and Consumer Protection Division.
- (6) Form of report and procedure for the filling-out of Complaint Service report as referred to in paragraph (1), are further addressed under Circular of the Financial Services Authority.

## **CHAPTER XI**

### **ADMINISTRATIVE SANCTION**

#### **Article 44**

- (1) PUJK other than Operator of Information-Technology-Based Money-Lending Service and Private Pawnbroker which is late in submitting report as referred to under Article 43 is imposed with administrative sanction in the forms of fines, namely obligation to pay a sum of money with the following details:
  - a. in sum of IDR 100,000.00 (one hundred thousand rupiahs) per overdue reporting day and no greater than IDR 10,000,000.00 (ten million rupiahs) for PUJK in the forms of Commercial Bank, Securities Broker-Dealer, Investment Manager, Pension Fund, Insurance Company, Reinsurance Company, Infrastructure Financing Agency, and Public Pawnbroker Company; or
  - b. in sum of IDR 50,000.00 (fifty thousand rupiahs) per overdue reporting day and no greater than IDR 5,000,000.00 (five million rupiahs) for PUJK in the forms of Rural Bank, Financing Agency, Venture Capital, and Guarantee Company.
- (2) Operator of Information-Technology-Based Money-Lending Service and Private Pawnbroker which are late in submitting report are imposed with administrative sanction in the forms of reprimand.

### **Article 45**

- (1) Violation of provisions as referred to under Article 5, Article 6, Article 7, Article 8, Article 9, Article 10, Article 11, Article 12, Article 14, Article 15, Article 16, Article 17, Article 18, Article 21, Article 22 paragraph (3) and paragraph (4), Article 24, Article 25, Article 26, Article 28, Article 29, Article 31, Article 32, Article 33, Article 35, Article 36, Article 38, Article 39, Article 40, Article 42, and Article 43, PUJK may be imposed with administrative sanction in the forms of:
  - a. reprimand or written warning, and/or
  - b. degrading of soundness level assessment.
- (2) Sanction as referred to in paragraph (1) letter b, may be imposed with or without being preceded with the imposition of reprimand sanction as referred to in paragraph (1) letter a.

## **CHAPTER XII**

### **MISCELLANEOUS PROVISIONS**

#### **Article 46**

Reporting of handling and settlement of Consumer Complaint within the payment-system sector is also submitted to the payment-system authority in accordance with provisions under laws and regulations.

## **CHAPTER XIII**

### **TRANSITIONAL PROVISIONS**

#### **Article 47**

Provisions on formulation and submission of Complaint Service report prior to the establishment of implementing regulation of this Regulation of the Financial Services Authority, continue to refer to Circular of the Financial Services Authority [Number 2/SEOJK.07/2014](#) on Service and Settlement of Consumer Complaint at Financial-Services Businesses.

## CHAPTER XIV FINAL PROVISIONS

### Article 48

When this Regulation of the Financial Services Authority enters into force, provisions addressing matters on settlement of Consumer Complaint as referred to under:

1. Regulation of Bank Indonesia [Number 7/7/PBI/2005](#) on Settlement of Customer Complaint;
2. Regulation of Bank Indonesia [Number 10/10/PBI/2008](#) on Amendment to Regulation of Bank Indonesia [Number 7/7/PBI/2005](#) on Settlement of Customer Complaint;
3. Article 34 up to Article 38 of Regulation of the Financial Services Authority [Number 1/POJK.07/2013](#) on Consumer Protection within Financial-Services Sector;
4. Circular of Bank Indonesia [Number 7/24/DPNP](#) dated 18 July 2005 on Settlement of Customer Complaint; and
5. Circular of Bank Indonesia [Number 10/13/DPNP](#) dated 6 March 2008 on Amendment to Circular of Bank Indonesia [Number 7/24/DPNP](#) dated 18 July 2005 on Settlement of Customer Complaint,

are revoked and declared to be invalid.

## Article 49

- (1) This Regulation of the Financial Services Authority enters into force after 6 (six) months since its promulgation date.
- (2) For Private Pawnbroker Company, this Regulation of the Financial Services Authority enters into force since 1 July 2020.

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

Established in Jakarta  
on 10 September 2018

CHAIRMAN OF BOARD OF COMMISSIONERS OF  
FINANCIAL SERVICES AUTHORITY,

signed.

WIMBOH SANTOSO

Promulgated in Jakarta  
on 10 September 2018

MINISTER OF LAW AND HUMAN RIGHTS OF  
THE REPUBLIC OF INDONESIA,

signed.

YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2018 NUMBER 151

**ELUDICATION  
OF  
REGULATION OF THE FINANCIAL SERVICES AUTHORITY  
NUMBER 18/POJK.07/2018  
ON  
CONSUMER COMPLAINT SERVICE WITHIN FINANCIAL-SERVICES SECTOR**

**I. GENERAL**

In performing Financial Transaction, sometimes there is discrepancy of understanding in respect to right and obligation of PUJK and Consumer, therefore it may raise issue which is submitted through Complaint by Consumer. Such Complaint which is submitted, if it is not handled and settled, eventually will have the potential to inflict losses for Consumer and decrease the trust level of Consumer toward PUJK.

Consumer trust remains as the core pillar which upholds the development of financial-services industrial sector. Hence, the effort of PUJK to continue to maintain Consumer trust is an absolute act to be performed. One of the efforts which must be performed by PUJK is namely providing Consumer Complaint Service to receive, handle, and settle Complaint which is submitted by Consumer.

Based on Article 4 of Law [Number 21 of 2011](#) on Financial Services Authority, it has been addressed that one of the duties of Financial Services Authority is to realized that the entirety of activities within financial-services sector is able to protect the interest of Consumer and the public.

Therefore, Financial Services Authority always performs various efforts to maintain trust of the public and Consumer toward financial-services sector. One of such efforts is through the strengthening of Consumer-protection regulation.

Generally, regulation on Consumer complaint service and settlement has been previously addressed under Regulation of the Financial Services Authority [Number 1/POJK.07/2013](#) on Consumer Protection within Financial-Services Sector and Circular of the Financial Services Authority [Number 2/SEOJK.07/2014](#) on Consumer Complaint Service and Settlement at Financial-Services Businesses. However, the

provisions under those two regulations are yet to specifically address matters relating to stages and timeframe of Consumer Complaint service. In light of such matter, it is deemed necessary to formulate provisions in the form of Regulation of the Financial Services Authority, as a strengthening form of previous regulation by adding provisions against PUJK which are under the supervision of Financial Services Authority in connection with the development of financial-services industry, as well as timeframe for Complaint Service which involves other party.

Against Complaint which does not achieve settlement solution at PUJK, then asides from being able to file lawsuit through litigation method, Consumer may also perform dispute resolution through Alternative Dispute Resolution Institution which is listed in List of Alternative Dispute Resolution Institutions which is established by Financial Services Authority.

## **II. ARTICLE BY ARTICLE**

### **Article 1**

Self-explanatory.

### **Article 2**

“Consumer” refers to, among others, customer at Banking, investor at Capital Market, policy holder at Insurance Matters, participant at Pension Fund, based on laws and regulations within financial-services sector.

### **Article 3**

Self-explanatory.

### **Article 4**

Self-explanatory.

### **Article 5**

Paragraph (1)

Self-explanatory.

Paragraph (2)

Brief procedure of Complaint Service may become the same part of Financial Transaction agreement.

Examples for the inclusion of the same part of Financial Transaction agreement are namely policy, savings book, credit agreement, participant card, and/or terms and conditions of financial-services product and/or service.

**Article 6**

Paragraph (1)

Letter a

Brief procedure of Complaint Service encompasses stages of Consumer Complaint Service and document which should be fulfilled by Consumer in submitting Complaint.

Brief procedure of Complaint Service is published, among others, through website (*laman*) of PUJK, email (*surat elektronik*), phone, brochure, leaflet, and/or electronic media which are officially managed by PUJK.

Letter b

In case PUJK does not possess obligation to formulate and submit annual report, PUJK is not obliged to address handling of complaint in annual report.

Publication of handling of complaint, among others, encompasses:

1. number of Complaints which are received by PUJK;
2. number of Complaints based on classification of Complaint in relation to types of Financial Transaction; and
3. percentage and status of Settlement of Complaint based on classification of Complaint in relation to types of Financial Transaction.

Paragraph (2)

Self-explanatory.

## **Article 7**

### Paragraph (1)

Self-explanatory.

### Paragraph (2)

Verbal complaint, among others, through phone, and/or short message services (SMS).

Complaint in writing, among others, through mail, electronic mail (*surat elektronik*), facsimile, website (*laman*) of PUJK, and/or electronic media which are officially managed by PUJK which are able to be used in order to submit Complaint document.

Complaint which is received by PUJK from Consumer and/or Consumer's Representative through walk-in, is categorized as written Complaint.

### Paragraph (3)

Self-explanatory.

## **Article 8**

Presentation of explanation on brief procedure of Complaint Service may be presented by PUJK to Consumer and/or Consumer's Representative verbally and/or in writing.

Explanation on Complaint Service procedure includes document which is established by PUJK and explanation on time period for settlement of Complaint.

## **Article 9**

Self-explanatory.

## **Article 10**

### Paragraph (1)

List of prerequisite documents, is included in the Complaint Service procedure, Financial Transaction agreement, and/or document.

### Paragraph (2)

Letter a



Identity of Consumer and/or Consumer's Representative at least encompasses:

1. full name of Consumer and/or Consumer's Representative;
2. address of domicile in accordance with the identity document of Consumer and/or Consumer's Representative and other address of domicile (if any); and
3. phone number of Consumer and/or Consumer's Representative which is contactable.

Example of identity of Consumer and/or Consumer's Representative may take form as prevailing Residency Identity Card, Driving License, or passport, including family certificate and birth certificate for Consumer who is yet to reach 17 (seventeen) years old.

Letter b

Self-explanatory.

Letter c

Self-explanatory.

Letter d

Self-explanatory.

Paragraph (3)

Self-explanatory.

Paragraph (4)

Prerequisite supporting documents refer to document which is directly owned and/or obtainable by Consumer and/or Consumer's Representative.

Example of supporting document which directly relates to the complained issue is, among others, deposit slip, transfer receipt, insurance policy, credit agreement, and/or certificate of domicile.

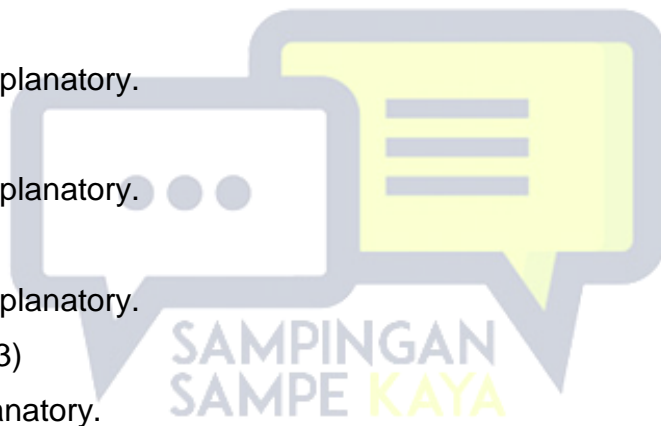
Paragraph (5)

Self-explanatory.

Paragraph (6)

Self-explanatory.

Paragraph (7)



Self-explanatory.

Paragraph (8)

Letter a

Self-explanatory.

Letter b

Other matters which are beyond the control of Consumer is, among others, such as the involvement of other party besides Consumer in the collection of document which is required by Consumer.

**Article 11**

Paragraph (1)

Delivery of confirmation on receipt of Complaint to Consumer and/or Consumer's Representative is when PUJK has received Complaint from Consumer and/or Consumer's Representative.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Self-explanatory.

**Article 12**

Paragraph (1)

Delivery of proof of receipt of Complaint to Consumer and/or Consumer's Representative is when PUJK has received Complaint from Consumer and/or Consumer's Representative.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Self-explanatory.

**Article 13**

Self-explanatory.

## **Article 14**

### Paragraph (1)

#### Letter a

“Competent” refers to examination of Complaint is performed by human resources who possess competence.

“Veracious” refers to examination of Complaint has been performed in accordance with the procedure.

“Objective” refers to examination of Complaint is performed without conflict of interest.

#### Letter b

Self-explanatory.

### Paragraph (2)

Request of document or information from Consumer and/or other party, among others, is to:

- a. know the substance of the issue of the Complaint; and/or
- b. ascertain the good faith of Consumer.

“Other party” refers to, among others, party who enters into cooperation with PUJK for the provision of financial-services product and/or service.

## **Article 15**

### Paragraph (1)

Self-explanatory.

### Paragraph (2)

Submission of Complaint in writing is performed if it requires supporting document which is possessed by Consumer for settlement of Complaint.

## **Article 16**

### Paragraph (1)

Self-explanatory.

### Paragraph (2)

Self-explanatory.

Paragraph (3)

Letter a

Self-explanatory.

Letter b

Self-explanatory.

Letter c

Other matters which are beyond the control of PUJK, among others, such as the involvement of other party besides of PUJK in Financial Transaction which is performed by Consumer.

Paragraph (4)

Self-explanatory.

Paragraph (5)

“Settlement of Complaint past time period” refers to settlement of Complaint which is performed by PUJK with or without undergoing stages as referred to in paragraph (1) and paragraph (2).

Paragraph (6)

Self-explanatory.

Paragraph (7)

Self-explanatory.

**Article 17**

Self-explanatory.

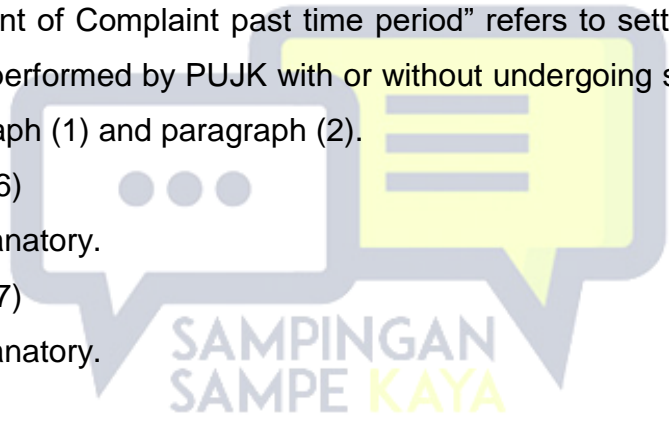
**Article 18**

Self-explanatory.

**Article 19**

Refusal which is performed by PUJK is followed-up through the delivery of refusal to Consumer and/or Consumer’s Representative.

Letter a



Consumer and/or Consumer's Representative who fail to complete document are considered to cancel its Complaint.

Lack of document may cause PUJK to be unable to analyze and make decision on settlement of Complaint in competent, veracious, and objective manners.

Letter b

Complaint which has secured settlement, consists of:

1. Complaint which reaches agreement; or
2. Complaint which fails to reach agreement.

Letter c

Self-explanatory.

Letter d

Complaint which does not relate to Financial Transaction may be exempted if it enters into cooperation with other PUJK over such Financial Transaction.

#### **Article 20**

Self-explanatory.

#### **Article 21**

Self-explanatory.

#### **Article 22**

Paragraph (1)

Letter a

Self-explanatory.

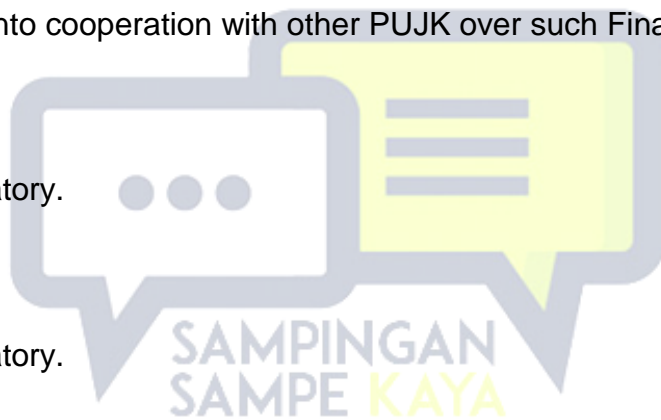
Letter b

Example of Complaint Response in the forms of settlement offer, among others, delivery of apology statement and redress/remedyz (*ganti rugi*) offer, if Consumer Complaint is truthful.

Paragraph (2)

Self-explanatory.

Paragraph (3)



Statement of Consumer in accepting settlement offer from PUJK may take form as agreement document or official report of agreement, correspondence mail, recording, or another document as determined by PUJK.

**Paragraph (4)**

Written response is required as written evidence for Consumer to forward to the subsequent process.

**Article 23**

Self-explanatory.

**Article 24**

Self-explanatory.

**Article 25**

**Paragraph (1)**

Dispute refers to Complaint which fails to reach settlement agreement between Consumer with PUJK.

**Paragraph (2)**

Self-explanatory.

**Paragraph (3)**

Clause for the selection of dispute resolution through court or out-of-court may become the same part of Financial Transaction agreement.

**Article 26**

Self-explanatory.

**Article 27**

Self-explanatory.



**Article 28**

Information mean to publish Complaint Service function or unit is, among others, through website (*laman*) of PUJK, email (*surat elektronik*), phone, brochure, leaflet, and/or electronic media which are officially managed by PUJK.

**Article 29**

Self-explanatory.

**Article 30**

Self-explanatory.

**Article 31**

Self-explanatory.

**Article 32**

Self-explanatory.

**Article 33**

Self-explanatory.

**Article 34**

Self-explanatory.

**Article 35**

Self-explanatory.

**Article 36**

Self-explanatory.

**Article 37**

Self-explanatory.



**Article 38**

Self-explanatory.

**Article 39**

Paragraph (1)

Maintenance of register for receipt of Complaint may take form as manual or digital.

Paragraph (2)

Self-explanatory.

**Article 40**

Administration of all documents is performed since the process of receipt up to settlement of Complaint.

Administration of document for verbal Complaint is, among others, conversation recording.

**Article 41**

Self-explanatory.

**Article 42**

Self-explanatory.

**Article 43**

Paragraph (1)

“Quarterly manner” refers to the position of the end of March, June, September, and December.

Paragraph (2)

Self-explanatory.

Paragraph (3)

“Holiday” refers to national holiday which is determined by central government and/or local holiday which is determined by local regional government.



Paragraph (4)

Self-explanatory.

Paragraph (5)

Self-explanatory.

Paragraph (6)

Self-explanatory.

**Article 44**

Self-explanatory.

**Article 45**

Self-explanatory.

**Article 46**

“Payment-system authority” in this case refers to Bank Indonesia.

**Article 47**

Self-explanatory.

**Article 48**

Self-explanatory.

**Article 49**

Self-explanatory.

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