
AUTHORIZED TRANSLATION



MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

**REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF
INDONESIA**

NUMBER 58/M-DAG/PER/9/2014

CONCERNING

**AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE
NUMBER 07/M-DAG/PER/2/2013 CONCERNING DEVELOPMENT OF
PARTNERSHIP IN FRANCHISE FOR FOOD AND BEVERAGE SERVICE
BUSINESS TYPE**

BY THE GRACE OF ALLAH THE ONE SUPREME GOD

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that in the framework of providing the partnership implementation certainty and simplicity for the Franchise Provider and Franchise Receiver for the Restaurant, Bistro, Bar/Tavern and Café business types, it is necessary to amend several provisions in the Regulation of the Minister of Trade Number 07/M-DAG/PER/2/2013 concerning Development of Partnership in Franchise for the Food and Beverage Service Business Type;
 - b. that based on the consideration, as meant in letter a, it is necessary to determine the Regulation of the Minister of Trade concerning Amendment of the Regulation of the Minister of Trade Number 07/M-DAG/PER/2/2013 concerning Development of Partnership in Franchise for the Food and

Beverage Service Business Type.

- In view of : 1. Law Number 3 of 1982 concerning Company Compulsory Registration (State Gazette of the Republic of Indonesia of 1982 Number 7, Supplement to the State Gazette of the Republic of Indonesia Number 3214);
2. Law Number 5 of 1999 concerning Prohibition of Monopoly and Unhealthy Business Competition Practices (State Gazette of the Republic of Indonesia of 1999 Number 33, Supplement to the State Gazette of the Republic of Indonesia Number 3817);
3. Law Number 20 of 2008 concerning Micro, Small and Medium Scale Enterprises (State Gazette of the Republic of Indonesia of 2008 Number 93, Supplement to the State Gazette of the Republic of Indonesia Number 4866);
4. Law Number 10 of 2009 concerning Tourism (State Gazette of the Republic of Indonesia of 2009 Number 11, Supplement to the State Gazette of the Republic of Indonesia Number 4966);
5. Law Number 7 of 2014 concerning Trade (State Gazette of the Republic of Indonesia of 2014 Number 45, Supplement to the State Gazette of the Republic of Indonesia Number 5512);
6. Law Number 17 of 2012 concerning Implementation of Law Number 20 of 2008 concerning Micro, Small and Medium Scale Enterprises (State Gazette of the Republic of Indonesia of 2013 Number 40, Supplement to the State Gazette of the Republic of Indonesia Number 5404);
7. Government Regulation Number 42 of 2007 concerning Franchise (State Gazette of the Republic of Indonesia of 2007 Number 90, Supplement to the State Gazette of the Republic of Indonesia Number 4742);
8. Presidential Decree Number 84/P of 2009 concerning Formation of the United Indonesia Cabinet II, as has been amended with the Presidential Decree Number 8P of 2014;

9. Presidential Regulation Number 47 of 2009 concerning Formation and Organization of the State Ministry, as has been amended several times and latest with the Presidential Regulation Number 13 of 2014 (State Gazette of the Republic of Indonesia of 2014 Number 24);
10. Presidential Regulation Number 24 of 2010 concerning Position, Duties and Functions of the State Ministry and Organization Structure, Duties and Functions of Echelon I of the State Ministry, as has been amended several times and latest with The Presidential Regulation Number 14 of 2014 (State Gazette of the Republic of Indonesia of 2014 Number 25);
11. Regulation of the Minister of Trade Number 31/M-DAG/PER/7/2010 concerning Organization and Work Procedure of the Ministry of Trade, as has been amended with the Regulation of the Minister of Trade Number 57/M-DAG/PER/8/2012;
12. Regulation of the Minister of Culture and Tourism Number PM/.87/HK.501/MKP/2010 concerning Procedure of Food and Beverage Service Business Registration;
13. Regulation of the Minister of Trade Number 53/M-DAG/PER/8/2012 concerning Franchise Implementation, as has been amended with the Regulation of the Minister of Trade Number 57/M-DAG/PER/8/2012;
14. Regulation of the Minister of Trade Number 07/M-DAG/PER/2/2013 concerning Development of Partnership in Franchise for Food and Beverage Service Business Type.

HAS DECIDED:

To Stipulate : **THE AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE NUMBER 07/M-DAG/PER/2/2013 CONCERNING DEVELOPMENT OF PARTNERSHIP IN FRANCHISE FOR FOOD AND BEVERAGE SERVICE BUSINESS TYPE.**

Article I

Several provisions in the Regulation of the Minister of Trade Number 07/M-DAG/PER/2/2013 concerning Development of Partnership in Franchise for Food and Beverage Service Business Type are amended as follows:

1. The provision of Article 11 is amended and reads as follows:

Article 11

The Franchise Provider or Franchise Receiver for the Restaurant, Bistro, Bar/Tavern and Café business types, who violates the provisions as meant in Article 4, Article 5, Article 7, Article 8, and Article 10, may be gradually imposed the administrative sanction in form of:

- a. maximum 3 (three) successive written warnings with the grace period of 2 (two) weeks as of the date of the warning letter by the Franchise Registration Identity Letter issuance official;
 - b. temporary cessation of the Franchise Registration Identity Letter for maximum 2 (two) months in case of non compliance with the provision in the written warning as meant in letter a; and
 - c. withdrawal of the Franchise Registration Identity Letter in case of non compliance with the provision as meant in letter b.
2. The provision of Article 12 is amended and reads as follows:

Article 12

The Franchise Provider or Franchise Receiver for the Restaurant, Bistro, Bar/Tavern and Café business types, who have more than 250 (two hundred fifty) outlets at the time this Regulation of the Minister is applicable, may continue the operation and possess outlets in such amount.

Article II

This Regulation of the Minister commences applicable on the date of enactment.

So that it is known by everyone, the enactment of this Regulation of the Minister is instructed with its placement in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

On dated 17 September 2014

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

Signed

MUHAMMAD LUTFI

Copy conforms to the original

Secretariat General

Ministry of Trade

Head of Legal Bureau,

signed and sealed

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