
AUTHORIZED TRANSLATION



MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

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

NUMBER 76 OF 2018

CONCERNING

MANAGEMENT OF COMPANY REGISTRATION

UPON GRACE OF THE ONE ALMIGHTY GOD

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

- Considering : a. that for acceleration and increase in capital investment and business activities, it is necessary to re-regulate the provisions on the management of company registration as stipulated in Regulation of the Minister of Trade No.37/M-DAG/PER/9/2007 regarding Management of Company Registration as amended several times, recently by the Regulation of the Minister of Trade No.08/M-DAG/PER/2/2017 regarding the Second Amendment to the Regulation of the Minister of Trade No.37/M-DAG/PER/9/2007 regarding Management of Company Registration;
- b. that based on the considerations as referred to in item a, it is necessary to stipulate a Regulation of the Minister of Trade

regarding the Management of Company Registration;

- In view of : 1. Law Number 3 of 1982 regarding Company Registration (State Gazette of the Republic of Indonesia of 1982 Number 7, Supplement to State Gazette of the Republic of Indonesia Number 3214);
2. Government Regulation Number 24 of 2018 regarding Electronic Integrated Licensing Services (State Gazette of the Republic of Indonesia of 2018 Number 90, Supplement to State Gazette of the Republic of Indonesia Number 6215);
3. Regulation of the President Number 7 of 2015 regarding Organization of State Ministries (State Gazette of the Republic of Indonesia of 2015 Number 8);
4. Regulation of the President Number 48 of 2015 regarding the Ministry of Trade (State Gazette of the Republic of Indonesia of 2015 Number 90);
5. Regulation of the Minister of Trade No.08/M-DAG/PER/ 2/2016 Organization and Work Procedure of the Ministry of Trade (State Gazette of the Republic of Indonesia of 2016 Number 202);

HAS DECIDED:

To Stipulate : **REGULATION OF THE MINISTER OF TRADE CONCERNING
MANAGEMENT OF COMPANY REGISTRATION.**

Article 1

In this Regulation of the Minister the following Terms shall have meaning as follows:

1. Company Register shall mean official register organized according to or based on provisions of Law Number 3 of 1982 regarding Company Registration and/or implementing regulation thereof and containing points on which application for registration shall be submitted by each company and legalized by the authorized officials.
2. Electronical Integrated Business Licensing or the Online Single Submission hereinafter abbreviated to OSS shall mean a business permit issued by OSS Institutions for and on behalf of ministers, heads of institutions, governors, or regent / mayor to business actors through an integrated electronic system.
3. Registration shall mean business and / or activities registration by the business actor through OSS.
4. Management Institutions and OSS Organizers, hereinafter referred to as OSS Institution, shall mean non-ministerial government institutions that govern the government affairs in the investment coordination sector.
5. Company Registration Certificate, hereinafter abbreviated to TDP, shall mean certificate of legalization issued by OSS Institution to the business actor already applying for registration.
6. Business Registration Number, hereinafter abbreviated to NIB,

shall mean the identity of the business actor issued by the OSS Institution after the business actor submit application for registration

7. Company Representative shall mean any company acting as the representative of the company's head office to carry out an activity and / or management in accordance with the specified authority.
8. Minister shall mean the Minister of Trade.

Article 2

- (1) Every company in the form of a Limited Liability Company (PT), Cooperative, Limited Partnership (CV), Firm (Fa), Individuals, and other forms of business entity, including Foreign Companies with status as the Company Representative having their domicile and conducting business in the Republic of Indonesia Indonesia shall be registered in the company register.
- (2) The company registration as referred to in paragraph (1) shall be carried out through OSS.

Article 3

- (1) Any business actors already submitting application for out company registration as referred to in Article 2 shall obtain NIB serving TDP.
- (2) The authority to issue NIB as referred to in paragraph (1) shall be at OSS Institution.

Article 4

- (1) In the management of company registration, the Director of Business Development and Distributors shall:
 - a. set for guidelines, conduct human resources development, coordinate, control, and supervise the management of company registration;
 - b. collect, process, and analyze data obtained from OSS Institutions and provide corporate information services to the public and business world at national scale;
 - c. carry out socialization activities on the company registration at national scale; and
 - d. report Company registration management activities to the Minister through the Director General of Domestic Trade.
- (2) In the company registration management, the Provincial Government shall:
 - a. coordinate and supervise the company registration management at the provincial-scale; and
 - b. conduct socialization activities on company registration management at the provincial scale
- (3) In the company registration management, the District or Municipal Government shall:
 - a. coordinate and supervise the company registration management at district or municipal scale; and
 - b. conduct socialization activities on company registration management at district or municipal scale.

Article 5

- (1) Registration as referred to in Article 2 paragraph (1) shall be conducted by filling out data on:
 - a. name and NIK;
 - b. home address;
 - c. business field;
 - d. location of investment;
 - e. amount of the investment plan;
 - f. manning plan;
 - g. business and / or operational contact number;
 - h. plan to apply for fiscal facilities, customs, and / or other facilities; and
 - i. TIN of individual business actors.
- (2) The registration as referred to in Article 2 paragraph (1) shall be subjected to an administrative fee of Rp. (- zero rupiah).
- (3) Any companies already receiving the NIB serving as TDP shall:
 - a. place NIB at publicly visible and noticeable place; and
 - b. mention NIB on the company's billboard and documents used in their business activities.

Article 6

- (1) The Directorate of Business Development and Distributors shall present company information as official source of information for all interested parties.

- (2) Information as referred to in paragraph (1) shall be open and each party is given the opportunity to view and request for information in form of official copies and / or official passages.
- (3) Every request for information in the form of an official copy and / or official quotation as referred to in paragraph (2) shall be subjected to fee in accordance with the provisions of the legislation.

Article 7

Every business actor changing data on registered company shall report the same data through OSS system.

Article 8

- (1) Any business actors breaching the provisions as referred to in Article 7 shall be subjected to administrative sanctions in form of written warnings.
- (2) The written warnings as referred to in paragraph (1) shall be provided maximum of 3 (three) times with interval of each warning of not later than 14 (fourteen) days.
- (3) If within period of 14 (fourteen) days after the issue of the written warning as referred to in paragraph (2) the business actor fails to meet the provisions of Article 7, they shall be subjected to administrative sanctions in accordance with the provisions of the legislation.

Article 9

Any business actors submitting the application for company registration based on Regulation of the Minister of Trade Number 37/M-DAG/PER/9/2007 regarding Management of Company Registration as amended several times, recently by Regulation of the Minister of Trade Number 08/M-DAG/PER/2/2017 regarding The Second Amendment to the Regulation of the Minister of Trade No.37/M-DAG/PER/9/2007 regarding the Management of Company Registration shall submit the application for company registration in accordance with the provisions hereof within not later than 2 (two) years as the promulgation hereof.

Article 10

Upon effectiveness hereof:

- a. The Regulation of the Minister of Trade Number 37/M-DAG/PER/9/2007 regarding Management of Company Registration as amended several times, recently by the Regulation of the Minister of Trade No. 08/M-DAG/PER/2/2017 regarding the Second Amendment to Regulation of the Minister of Trade No.37/M-DAG/PER/9/2007 regarding Management of Company Registration (Official Gazette of the Republic of Indonesia of 2017 Number 322);
- b. Regulation of the Minister of Trade Number 77/M-DAG/PER/12/2013 regarding Issue of Trading Business Permits and Company Registration Certificate simultaneously

for Trading Companies (State Gazette of the Republic of Indonesia of 2013 Number 1545) recently amended by the Regulation of the Minister of Trade Number 14/M-DAG/PER/3/2016 regarding Amendments to Regulation of the Minister of Trade Number 77/M-DAG/PER/12/2013 regarding Issue of Trading Business Licenses and Company Registration Certificate Simultaneously for Trading Companies (Official Gazette of the Republic of Indonesia of 2016 Number 367);

- c. Regulation of the Minister of Trade Number 48/M-DAG/PER/6/2016 regarding Delegation of Authority to Issue Company Registration Certificate to Head of Free Trade Zone and Batam Free Port Management Body, Free Trade Business Zone and Bintan Free Port Management Body, Free Trade Business Zone and Karimun Free Port Management Body, and Free Trade Business Zone and Sabang Free Port Management Body (State Gazette of the Republic of Indonesia of 2016 Number 972) as amended by Regulation of the Minister of Trade No.49/M-DAG/PER/6/2016 regarding Amendment to Regulation of the Minister of Trade No.48/M-DAG/PER/6/2016 regarding Delegation of Authority for Issue of Company Registration to Business Entity of Free Trade Zone and Batam Free Port Management Body, Free Trade Business Zone and Bintan Free Port Management Body, Free Trade Business Zone and Karimun Free Port Management Body, and Free Trade Business Zone and Sabang Free Port

Management of 2016 Number 1082), shall be revoked and declared null and void.

Article 11

This Regulation of the Minister shall come into force on the date of promulgation.

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 : July 19, 2018

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

signed

ENGGARTIASTO LUKITA

Enacted in Jakarta

On : July 20, 2018

DIRECTOR GENERAL OF LEGISLATIVE REGULATIONS

MINISTRY OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA

signed

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2018 NUMBER 937.

Copy conforms to the original

Secretariat General

Ministry of Trade

Head of Legal Bureau

signed and sealed

SRI HARIYATI

I, **Anang Fahkcrudin**, a sworn and authorized translator, practicing in Jakarta, do solemnly and sincerely declare that the foregoing document is a true and faithful translation from **Indonesian into English** of the original version.

Jakarta, July 29, 2019