

- c. reason for suspending transaction; and
- d. location of the wealth.

- (3) The suspension of the transaction as meant in paragraph (1) shall be realized in no later than 5 (five) working days.
- (4) The reporting party shall be obliged to suspend the transaction shortly after receiving the order/request for suspending transaction from investigator, prosecutor or judge.
- (5) The reporting party shall be obliged to give up account of the realization of the transaction

suspension to investigator, prosecutor or judge requesting the suspension of transaction in no later than one working day as from the date when the suspension of transaction is realized.

Article 71.....

(To be continued)

—==(R)==—

**SECOND AMENDMENT TO FINANCE MINISTER REGULATION
NO. 36/PMK.06/ 2006 ON RETAIL SALE OF
STATE BOND IN THE PRIMARY MARKET**

(Finance Minister Regulation No. 172/PMK.08/2010, dated September 29, 2010)

WITH THE BLESSING OF THE ONE AND ONLY GOD,
THE FINANCE MINISTER,

letter a, it is necessary to stipulate a regulation of the Finance Minister on a second amendment to Finance Minister Regulation No. 36/PMK.06/ 2006 on Retail Sale of State Bond in the Primary Market;

Considering :

- a. that in the context of achieving an effective performance of retail sale of State Bond and providing legal certainty, it is deemed necessary to make changes to provisions of Finance Minister Regulation No. 36/PMK.06/2006 on Retail Sale of State Bond in the Primary Market having been amended by Finance Minister Regulation No. 10/PMK.08/2007;
- b. that based on the consideration referred to in

In view of:

1. Law No. 24 Year 2002 (*BN No. 6856 pages 9A-21A and so on*) on State Debentures (State Gazette of the Republic of Indonesia Year 2002 No. 110, Supplement to State Gazette of the Republic of Indonesia No. 4236);
2. Presidential Decree No.5 6/P Year 2010 (*BN No. 7119 pages 15A-18A and so on*);

3. Finance Minister Regulation No. 36/PMK.06/2006 on Retail sale of State Bond in the Primary Market having been amended by Finance Minister Regulation No. 10/PMK.08/2007 (BN No. 7492 page 2A);

DECIDES :

To stipulate:

FINANCE MINISTER REGULATION ON SECOND AMENDMENT TO FINANCE MINISTER REGULATION NO. 36/PMK.06/2006 ON RETAIL SALE OF STATE BOND IN THE PRIMARY MARKET.

Article I

Several provisions of Finance Minister Regulation No. 36/PMK.06/2006 on Retail Sale of State Bond in the Primary Market having been amended by Finance Minister Regulation No. 10/PMK.08/2007 are changed as follows:

1. Provisions of Article 1 are changed, hence it reads as follows:

"Article 1

In this Finance Minister Regulation, definitions of terms are:

1. State Bond is a state debenture having a term of more than 12 (twelve) months as meant in Law No. 24 Year 2002 on State Debentures.
2. Bank is the public bank meant in Law No. 7 Year 1992 on Banking, having been amended by Law No. 10 Year 1998.

3. Stock company is a party carrying out business activities as Stock Issue Guarantor, Stock Trader Intermediary, and/or Investment Manager as meant in Law No. 8 Year 1995 on Capital Market and its amendments.
4. Retail State Bond is a state bond sold to a person or an individual Indonesian citizen thru a selling agent.
5. Selling Agent is a bank and/or stock company appointed to carry out retail sale of state bond.
6. Budget User Proxy is an official stipulated by the budget user to use the budget of a Ministry/Institution/Regional Work Unit.
7. Party is a person or an individual Indonesian citizen intending to buy Retail State Bond.
8. Purchase order is the submission of a purchase order for Retail State Bond by an investor to a Selling Agent.
9. Information memorandum is a written information on the offering of Retail State Bond to the public.
10. Rationing is an allocation stipulation of Retail State Bond acquired by any ordering party in accordance with the result of retail sale of state bond.
11. Settlement is a process on the settling of Retail State Bond transactions consisting of the settlement of fund and the settlement of Retail State Bond ownership.
12. Paying Bank is a bank possessing Rupiah checking account in Bank of Indonesia,

appointed by a selling agent to make the settlement of fund of Retail State Bond.

13. Work day is a day where-in the operations of payment system are carried out by Bank of Indonesia."

2. Provisions of Article 4 are changed, hence reading as follows:

"Article 4

(1) Stipulation of a selling agent candidate and the appointment of a selling agent are made by a Budget User Proxy.

(2) Stipulation of the number of Selling Agents to be appointed shall be based on requirements of the Government.

(3) Appointment of the selling agent referred to in paragraph (1) shall be followed-up with a work agreement between the Budget User Proxy and the selling agent."

3. Provisions of Article 5 are changed, hence reading as follows:

"Article 5

Appointment of a selling agent is made thru the following stages:

- a. announcement of the procurement of selling agent services;
- b. registration and taking procurement documents by participating candidates for the selection of selling agents;
- c. receiving and checking proposal documents from participants for the selection of selling agents;

- d. choosing participants of selling agent selection to join a presentation (beauty contest) stage;
- e. performance of presentation (beauty contest);
- f. rating the result of presentation (beauty contest);
- g. negotiation on fee;
- h. stipulation and announcement of selling agent candidate;
- i. protest period;
- j. appointment of selling agent."

4. Provisions of Article 10 are changed, hence reading as follows:

"Article 10

Work Agreement between the Government and a selling agent shall at a minimum contain the following:

- a. obligations of the selling agent to carry out retail sale of state bond with procedure of state bond retail sale according to prevailing statutory regulations and memorandum of information on Retail State Bond referred to in Article 9;
- b. obligations of the selling agent to report all of the result of offerings from the Retail State Bond buyer candidate to the Finance Minister;
- c. obligations of the selling agent to appoint a paying bank;
- d. obligations of the selling agent to deposit all funds in accordance with the stipulated

amount, from buyers receiving rationing to the paying bank to make the settlement of fund to the Government's account in Bank of Indonesia;

- e. obligations of the selling agent to ensure that the Retail State Bond won by a buyer had been entered into the buyer's securities account;
- f. obligations of the selling agent to return a part of or all of the fund of a buyer candidate not obtaining a rationing from the Government into the account of the person concerned."

5. Provisions of Article 12 are changed hence reading as follows:

"Article 12

The Director General of Debt Management, for and on behalf of the Finance Minister, has the right to reject all or a part of a received purchase order for Retail State Bond."

6. Provisions of Article 13 are changed hence reading as follows:

"Article 13

(1) The Director General of Debt Management, for and on behalf of the Finance Minister, stipulates:

- a. level of coupon and nominal amount of Retail State Bond to be issued;
- b. result of sale and rationing of Retail State Bond in a stipulation forum.

(2) The Director General of Debt Management submits reports on the stipulation referred to in paragraph (1) to the Finance Minister.

(3) Result of the sale and rationing referred to in paragraph (1) letter b shall be stipulated in one (1) work day at the latest after the end of the offering period."

Article II

This Finance Minister Regulation commences to come to effect from the date of enactment.

For public cognizance, this Finance Minister Regulation shall be announced in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta
on September 29, 2010

FINANCE MINISTER,

sgd.

AGUS D.W. MARTOWARDOJO

Enacted in Jakarta
on September 29, 2010

MINISTER OF LAW AND HUMAN RIGHTS,

sgd.

PATRIALIS AKBAR

STATUTE BOOK OF THE REPUBLIC OF INDONESIA

YEAR 2010 NO. 472

—==(D)==—