

LAW OF THE REPUBLIC OF INDONESIA
NUMBER 8 YEAR 2010
CONCERNING
THE PREVENTION AND ERADICATION OF
THE CRIME OF MONEY LAUNDERING

WITH THE GRACE OF THE ONE ALMIGHTY GOD

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

- Considering:
- a. whereas money laundering is a crime that not only threatens the economic stability and integrity of the financial system, but can also endanger our foundations of life as a society, nation, and state based on Pancasila and the 1945 Constitution of the Republic of Indonesia;
 - b. whereas the prevention and eradication of the crime of money laundering require a solid legal foundation to ensure a legal certainty, an effective law enforcement as well as the tracing and recovery of assets derived from proceeds of criminal acts.
 - c. whereas Law Number 15 of 2002 concerning The Crime of Money Laundering as amended by Law Number 25 of 2003 needs to be revised according to the needs of law enforcement, international practices and standards and, therefore, needs to be replaced by a new Law;
 - d. Whereas in line with the considerations referred to under sub-paragraph a, sub-paragraph b, and sub-paragraph c, a Law concerning the Prevention and Eradication of the Crime of Money Laundering needs to be formulated;

In view of: Article 5 paragraph (1) and Article 20 of the 1945 Constitution of the Republic of Indonesia

With Joint Consent

THE PEOPLE'S LEGISLATIVE ASSEMBLY OF THE REPUBLIC OF INDONESIA
(Dewan Perwakilan Rakyat Republik Indonesia)

and

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

HAVE DECIDED

To pass: A LAW CONCERNING THE PREVENTION AND ERADICATION OF THE CRIME OF MONEY LAUNDERING

CHAPTER I

GENERAL PROVISIONS

Article 1

What is meant in this Law by:

1. A money laundering shall be all acts that require elements of a crime in accordance with provisions of this Law.
2. The Financial Transaction Reports and Analysis Centers, hereinafter referred to by the acronym PPATK, shall be an independent institution established for the purpose of preventing and eradicating crimes of money laundering
3. Transactions shall be all activities from which arise rights and/or obligations or which cause a relationship to arise by law between two or more parties.
4. Financial Transaction shall be a Transaction to carry out or obtain a placement, deposit, withdrawal, overbooking, transfer, payment, donation, contributions, placement in custody, and/or exchange of sums of money or other act and/or activity related with money.
5. Suspicious Financial Transactions shall be:
 - a. Financial Transactions that deviate from the profile, characteristic, or habitual pattern of a Transaction by the relevant Services User.
 - b. Financial Transactions by a Services User that are reasonably suspected to have been performed with the purpose to avoid reporting of the relevant Transaction that must be reported by the Reporting Party in accordance with the provisions of this Law; or
 - c. Financial Transactions performed or failed to be performed using Assets suspected of having been derived from proceeds of criminal acts; or
 - d. Financial Transactions required by the PPATK to be reported by the Reporting Party due to the involvement of assets suspected of originating from proceeds of criminal acts.
6. Cash Transactions shall be Financial Transactions performed using banknotes or coins.
7. An examination shall be the process of problem identification, analysis, and evaluation of Suspicious Financial Transactions conducted in an independent, objective, and professional to assess the allegation of criminal acts.
8. Examination results shall be final assessment of the entire process of problem

identification, analysis and evaluation of Suspicious Financial Transactions conducted in an independent, objective, professional and submitted to the investigator.

9. Any person shall be individuals or corporations.
10. Corporations are groups of people and/or wealth that are organized, either a legal entity or non-legal entity.
11. A Reporting Party shall be any individual who according to this law is mandated to submit a report to the PPATK.
12. A Services User shall be a party employing the services of a Reporting Party.
13. Assets shall be all movable or immovable objects, either tangible or intangible acquired either directly or indirectly.
14. Corporate Controlling Personnel shall be any person that has an authority or power as the decision maker of policies of the Corporation or has an authority to perform such Corporation policies without having to obtain [prior] authorization from his superiors.
15. A criminal conspiracy shall be the act of two or more persons who conspire to perform a crime of money laundering.
16. Documents shall be data, recordings, or information that can be seen, read, and/or heard, which can be exhibited with or without the aid of equipment, whether shown on paper or any physical object whatsoever other than paper or that has been recorded electronically, including but not limited to:
 - a. written text, sound, or drawings;
 - b. maps, designs, photos, or anything similar;
 - c. Alphanumeric characters, marks, numbers, symbols, or perforations that have a meaning or that may be understood by a person capable of reading or understanding them.
17. Regulating and Monitoring Institution (*Lembaga Pengawas dan Pengatur*) shall be an institution that is vested with the authority to monitor, regulate and/or impose sanctions upon Reporting Parties;
18. Monitoring of compliance shall be a series of actions by the Regulating and Monitoring Institution and PPATK to ensure compliance by Reporting Parties on the reporting obligations in accordance with this Law by issuing regulations or reporting guidelines, performing compliance audits, monitoring the reporting obligations and imposing sanctions.

Article 2

- (1) Proceeds of criminal acts shall be Assets acquired from the following criminal acts:
 - a. corruption;
 - b. bribery;

- c. narcotics;
- d. psychotropic substances;
- e. smuggling of labor;
- f. smuggling of immigrants;
- g. in the field of banking;
- h. in the field of capital market;
- i. in the field of insurance;
- j. customs-related;
- k. customs duties/excise tax;
- l. human trafficking;
- m. illegal arms trade;
- n. terrorism;
- o. kidnapping;
- p. theft;
- q. embezzlement;
- r. fraud;
- s. counterfeit money;
- t. gambling;
- u. prostitution;
- v. in the field of tax;
- w. in the field of forestry;
- x. in the field of environment;
- y. in the field of maritime and fishery; or
- z. any other crimes imposed with imprisonment for the term of four (4) years or more,

that are carried out within or outside of the territory of the Republic of Indonesia and such crimes are also criminal acts according to Indonesian law.

- (2) Assets known or reasonably suspected to be used and/or being used, directly or indirectly, for acts of terrorism, organized terrorism or individual terrorism, shall be considered equal to proceeds from criminal acts as referred to in paragraph (1) sub-paragraph n.

CHAPTER II

THE CRIME OF MONEY LAUNDERING

Article 3

Any person who places, transfers, diverts, purchases, pays, donates, places into custody, takes abroad, changes the form, exchanges with currency or securities, or other acts on Assets known or reasonably suspected to be proceeds of criminal acts as referred to in Article 2 paragraph (1) for the purpose of hiding or concealing the origin of the Assets shall be sentenced for the crime of money laundering with imprisonment maximum 20 (twenty) years and a fine maximum Rp10,000,000,000.00 (ten billion rupiah).

Article 4

Any person who hides or conceals the origin, source, location, designation, transfer of rights or the actual ownership of the Assets known or reasonable suspected to be the proceeds of a criminal act as referred to in Article 2 paragraph (1) shall be sentenced for the crime of money laundering with imprisonment maximum 20 (twenty) years and a fine maximum Rp5,000,000,000.00 (five billion rupiah).

Article 5

- (1) Any person who receives or controls the placement, transfer, payment, donation, contribution, placement into custody, exchanges or uses the Assets known or reasonably suspected to be proceeds of criminal acts as referred to in Article 2 paragraph (1) shall be sentenced with a criminal prison term maximum 5 (five) years and a fine maximum Rp1,000,000,000.00 (one billion rupiah).
- (2) The provisions referred to in paragraph (1) shall not be applicable a Reporting Party who performs the reporting obligations as governed in this Law.

Article 6

- (1) In the event that a Corporation commits the crime of money laundering as referred to Article 3, Article 4, and Article 5, a criminal sentence shall be imposed against the Corporation and/or the Corporation's Controlling Personnel.
- (2) A criminal sentence shall be imposed against the Corporation for money laundering crimes, if:
 - a. carried out or instructed by the Corporation's Controlling Personnel;
 - b. carried out in the framework of fulfilling the Corporation's purpose and objective;
 - c. carried out in accordance with the task and function of the perpetrator or the person issuing the order; or
 - d. carried out for the purpose of providing benefit to the Corporation.

Article 7

- (1) The main criminal sentence imposed against the Corporation shall be a criminal fine maximum Rp100,000,000,000.00 (one hundred billion rupiah).
- (2) In addition to a criminal fine referred to in paragraph (1), the Corporation may also be imposed with a supplementary criminal sentence in the form of:
 - a. announcement of the Judge's sentence;
 - b. freezing of the Corporation's business in part or in whole;
 - c. revoking of business permits;
 - d. dissolution and/or banning of the Corporation;
 - e. confiscation of the Corporation's assets for the state; and/or
 - f. take-over of the Corporation by the state

Article 8

If the convicted party is incapable of paying the criminal fine as referred to in Article 3, Article 4, and Article 5, the criminal fine shall be replaced by a prison term of maximum 1 (one) year and four (4) months.

Article 9

- (1) In the event that the Corporation is incapable of paying the criminal fine as referred to in Article 7 paragraph (1), the criminal fine shall be replaced by confiscation of Assets owned by the Corporation or by the Corporation's Controlling Personnel, the value of which shall be equal to a criminal fine imposed in the judgment.
- (2) In the event that the proceeds from the sale of the confiscated Corporate Assets as referred to in paragraph (1) is insufficient, the fine imposed shall be replaced by a prison term imposed upon the Corporation's Controlling Personnel, taking into account the paid amount of the fine.

Article 10

Any person residing within or outside of the territory of the Republic of Indonesia who participates in carrying out, attempts to carry out, aids in carrying out, or is part of a criminal conspiracy to perform a crime of money laundering, shall receive a criminal sentence equal to that referred to in Article 3, Article 4, and Article 5.

CHAPTER III

OTHER CRIMES RELATED TO THE CRIME OF MONEY LAUNDERING

Article 11

- (1) Officials or employees of PPATK, investigators, public prosecutors, judges, and every person obtaining documents or information within the framework of implementing their duties under this Law shall keep such documents or information secret, except to fulfill obligations under this Law.
- (2) Any person who violates the provisions as referred to in paragraph (1) shall be punished with imprisonment of maximum 4 (four) years.
- (3) The provisions as referred to in paragraph (1) does not apply to officers or employees of PPATK, investigators, public prosecutors, and judges if it is performed in order to fulfill their obligations in accordance with the provisions of laws and regulations.

Article 12

- (1) The Board of Directors, Commissioners, management or employees of the Reporting Party shall be prohibited from informing the Services User or other parties, neither directly nor indirectly nor by any other method regarding the Suspicious Financial Transaction report being drafted or that has been submitted to the PPATK.
- (2) The provision regarding the prohibition as referred to in paragraph (1) shall not apply to the information submitted to the Regulating and Monitoring Institution.
- (3) Officials or employees of the PPATK or the Regulating and Monitoring Institution shall be prohibited neither from informing the Services User or any other party regarding the Suspicious Financial Transaction report that will or has been reported to the PPATK, neither directly nor indirectly nor in any other manner.
- (4) The provision regarding the prohibition as referred to in paragraph (3) shall not apply if carried out in the framework of performing tasks according to this Law.
- (5) Violation of the provisions as referred to in paragraph (1) and paragraph (3), shall carry a sentence to serve a prison term of maximum five (5) years and a criminal fine of maximum Rp1,000,000,000.00 (one billion rupiah).

Article 13

If the convicted party is incapable of paying the criminal fine as referred to in Article 12 paragraph (5), the criminal fine shall be replaced by a prison term of maximum 1 (one) year and four (4) months.

Article 14

Any person who interferes with the implementation of duties and authority of the PPATK as referred to in Article 37 paragraph (3) shall carry a sentence to serve a prison term of maximum two (2) years and a fine of maximum Rp500,000,000.00 (five hundred million rupiah).

Article 15

Officials or employees of the PPATK who violate the obligation as referred to in Article 37 paragraph (4) shall carry a sentence to serve a prison term of maximum two (2) years and a fine of maximum Rp500,000,000.00 (five hundred million rupiah).

Article 16

In the case of an official or employee of the PPATK, investigators, public prosecutors or judges, who handle cases of money laundering which is being examined, violating the provisions sd referred to in Article 83 paragraph (1) and/or Article 85 paragraph (1) shall carry a sentence to serve a prison term of maximum 10 (ten) years.

CHAPTER IV

COMPLIANCE REPORTING AND MONITORING

Section One

The Reporting Party

Article 17

(1) Reporting Parties shall include:

a. Providers of financial services:

1. bank
2. financing company;
3. insurance company and insurance brokerage company;
4. pension fund financial institution
5. securities company;
6. investment manager
7. custodian;
8. trustee;
9. postal services as provider of fund transfer services (*jasa giro*)
10. foreign currency trader (money changer)
11. provider of instruments of payment using cards
12. provider of *e-money* and/or *e-wallet*;
13. cooperatives doing business in savings and loans;
14. pawnshops;

15. companies doing business in commodity futures trading; or
 16. providers of money remittance
- b. vendors of goods and/or other services:
1. property companies/property agents;
 2. car dealers;
 3. dealers of precious stones and jewelry/precious metals;
 4. art and antique dealers; or
 5. auction houses.
- (2) Provisions on the Reporting Party who has not been governed as referred to in paragraph (1) shall be stipulated in a Government Regulation.

Section Two

Application of Know Your Customer Principles

Article 18

- (1) The Regulating and Monitoring Institution establishes provisions regarding know your customer principles.
- (2) The Reporting Party must implement know your customer principles as referred to in paragraph (1).
- (3) The mandatory implementation of Know Your Customer Principles as referred to in paragraph (2) is applied when:
 - a. establishing a business relationship with a Services User;
 - b. there is a Financial Transaction using Rupiah currency and/or other foreign currency minimum in the amount of or in equivalent with Rp100,000,000.00 (one hundred million rupiah);
 - c. there is a Suspicious Financial Transaction related to the crime of money laundering and financing of terrorism; or
 - d. The Reporting Party doubts the accuracy of Information reported by the Services User.
- (4) The Regulating and Monitoring Institution must perform monitoring on the Reporting Party's compliance in implementing Know Your Customer Principles.
- (5) Know Your Customer Principles shall at least comprise of:
 - a. the identification of the Services User;

- b. verification of the Services User; and
 - c. monitoring transactions of the Services User.
- (6) In the event that a Regulating and Monitoring Institution does not yet exist, provisions regarding know your customer principles and its monitoring shall be stipulated in a Regulation issued by the Head of PPATK.

Article 19

- (1) Any person performing a Transaction with a Reporting Party must provide his/her identity and correct Information as requested by the Reporting Party and shall at least comprise his/her personal identity, the source of funds and the purpose of the Transaction by completing a form provided by the Reporting Party and attach its supporting Documents.
- (2) In the event that a Transaction is performed on behalf of another party, each person as referred to in paragraph (1) must provide Information regarding the other party's personal identity, the source of funds, and purpose of the Transaction.

Article 20

- (1) The Reporting Party is obligated to identify that the Services User is carrying out a Transaction with the Reporting Party for himself/herself or for and on behalf of another person.
- (2) In the event that a Transaction with the Reporting Party is carried out for himself/herself or for and on behalf of another person, the Reporting Party must request for information regarding the identity and supporting Documents of the Services User and other person concerned.
- (3) In the event that the identity and/or supporting Documents submitted as referred to in paragraph (2) are not complete, the Reporting Party must reject a Transaction with a person concerned.

Article 21

- (1) The Identity and supporting Documents requested by the Reporting Party must be in accordance with provisions of prevailing laws and regulations stipulated by the respective Regulating and Monitoring Institution.
- (2) The Reporting Party must retain records and Documents pertaining identification of a person who engages a Transaction for at least five (5) years following the termination of a business relationship with the Services User.
- (3) The Reporting Party who does not comply with obligations as referred to in paragraph (2) shall be imposed with sanctions in accordance with prevailing laws and regulations.

Article 22

- (1) The financial services provider as referred to in Article 17 paragraph (1) subparagraph a, must terminate a business relationship with the Services User if:

- a. The Services User refuses to comply with Know Your Customer Principles; or
 - b. The Reporting Party doubts the accuracy of Information provided by the Services User.
- (2) The financial services provider as referred to in paragraph (1) must report to the PPATK on such business relationship termination as a Suspicious Financial Transaction.

Section Three

Reporting

Paragraph 1

Financial Services Provider

Article 23

- (1) A financial services provider as referred to in Article 17 paragraph (1) sub-paragraph a must submit a report to PPATK which covers:
- a. Suspicious Financial Transactions;
 - b. Cash Financial Transactions in an amounts of at least Rp.500,000,000.00 (five hundred million rupiah) or in foreign currency of equal value, either carried out in one Transaction or in several Transactions during one (1) business day; and/or
 - c. Financial transactions of fund transfer received from or sent overseas;
- (2) Revisions pertaining to the size of the Cash Financial Transaction as referred to in paragraph (1) sub-paragraph b, shall be determined by a Regulation of the Head of PPATK.
- (3) The size of the amount of a financial transaction of fund transfer received and sent overseas that must be reported as referred to in paragraph (1) sub-paragraph c, shall be determined by Regulation of the Head of PPATK.
- (4) The Reporting Obligation of Cash Financial Transactions as referred to in paragraph (1) sub-paragraph b, shall be exempted for:
- a. transactions between financial services providers with the government and the central bank;
 - b. transactions for the payment of salaries and pensions; and
 - c. other Transactions determined by the Head of PPATK or upon a request of the financial services provider approved by the PPATK.
- (5) The Reporting Obligation as referred to in paragraph (1) sub-paragraph b, shall not apply to Transactions exempted.

Article 24

- (1) Providers of financial services shall establish and maintain a list of exempted transactions as referred to in Article 23 paragraph (4).
- (2) Providers of financial services who do not establish and maintain a list of exempted transactions as referred to in paragraph (1) shall be subject to administrative sanctions.

Article 25

- (1) A Suspicious Financial Transaction report as referred to in Article 23 paragraph (1) sub-paragraph a, shall be submitted immediately at the latest within three (3) work days after the Reporting Party has knowledge of elements of a Suspicious Financial Transaction.
- (2) A Cash Financial Transaction report as referred to in Article 23 paragraph (1) sub-paragraph b, must be submitted at the latest within fourteen (14) work days following the date of such Transaction.
- (3) A fund transfer Transaction report to or from overseas as referred to in Article 23 paragraph (1) sub-paragraph c, must be submitted at the latest within fourteen (14) work days following the date of such Transaction.
- (4) Administrative sanctions shall be imposed on financial services providers that do not submit such reports to the PPATK as referred to in paragraph (1), paragraph (2), and paragraph (3).
- (5) Further provisions regarding the form, type and procedure for submitting reports as referred to in paragraph (1), paragraph (2), and paragraph (3) shall be stipulated in a Regulation of the Head of PPATK.

Article 26

- (1) The financial services provider may postpone to execute a Transaction within no longer than 5 (five) work days as of the date of postponement,
- (2) A postponement of a Transaction as referred to in paragraph (1) shall be performed where the Services User:
 - a. is carrying out a Transaction which is reasonably suspected of using Assets originating from proceeds of criminal acts as referred to in Article 2 paragraph (1);
 - b. owns an account used to receive Assets originating from proceeds of criminal acts as referred to in Article 2 paragraph (1); or
 - c. known or reasonably suspected is using falsified documents.
- (3) The implementation of postponement of a Transaction as referred to in paragraph (1) shall be written in the Minute (*berita acara*) of postponement of a Transaction.
- (4) The financial services provider shall submit a copy of the Minutes of postponement of a Transaction to the Services User.

- (5) The financial services provider must report the postponement of a Transaction to the PPATK by attaching the Minutes of postponement of a Transaction within no longer than 24 (twenty-four) hours as of the date of postponement of such Transaction.
- (6) Upon a receipt of the report concerning the postponement of a transaction, the PPATK must ensure that the implementation of postponement as referred to in paragraph (5) is performed in accordance with this Law.
- (7) In the event that the postponement of a Transaction has reached its fifth day, the financial services provider must decide whether to execute or reject such Transaction.

Paragraph 2

Providers of Goods/Other Services

Article 27

- (1) Providers of goods and/or other services as referred to in Article 17 paragraph (1) sub-paragraph b, shall submit a report to the PPATK regarding transactions undertaken by the Service User in Rupiah currency and/or foreign currency whose value is at least equivalent to Rp500,000,000.00 (five hundred million rupiah).
- (2) Transaction Report as referred to in paragraph (1) shall be submitted at the latest within 14 (fourteen) work days from the date of a transaction is made.
- (3) Providers of goods and/or other services that do not submit a report to the PPATK as referred to in paragraph (1) shall be subject to administrative sanctions.

Paragraph 3

The Implementation of Reporting Obligations

Article 28

The implementation of reporting obligations by the Reporting Party shall be exempted from secrecy provisions applicable to the relevant Reporting Party.

Article 29

Unless there is an element of power abuse, no civil suits or criminal charges can be filed against a Reporting Party, official, and his/her employees for implementing the reporting obligations in accordance with this Law.

Article 30

- (1) Administrative sanctions as referred to in Article 25 paragraph (4) and Article 27 paragraph (3) shall be imposed by the Regulating and Monitoring Institution in accordance with provisions of prevailing laws and regulations.
- (2) In the event that the Regulating and Monitoring Institution as referred to in paragraph (1) has not been established yet, administrative sanctions against Reporting Parties shall be imposed by the PPATK.

- (3) Administrative sanctions imposed by the PPATK as referred to in paragraph (2) may be in the form of:
 - a. a reminder;
 - b. a written reprimand;
 - c. a public announcement about the action or the sanction; and/or
 - d. administrative fine.
- (4) Revenues resulting from administrative fines as referred to in paragraph (3) subparagraph d, are declared Non-tax State Revenue according to prevailing laws and regulations.
- (5) Further provisions regarding the procedure of imposing the administrative sanctions as referred to in paragraph (3) shall be stipulated in a Regulation of the Head of PPATK.

Section Four

Compliance Monitoring

Article 31

- (1) Monitoring of the Compliance of reporting obligations by financial services providers as referred to in Article 17 paragraph (1) shall be carried out by the Regulating and Monitoring Institution and/or the PPATK.
- (2) In the event that the Regulating and Monitoring Institution does not exist yet, monitoring of the compliance of reporting obligations shall be carried out by the PPATK.
- (3) Results of compliance monitoring carried out by the Regulating and Monitoring Institution as referred to in paragraph (1) shall be reported to the PPATK.
- (4) Procedures for monitoring the compliance as referred to in paragraph (1) and paragraph (2) shall be stipulated by the Regulating and Monitoring Institution and/or the PPATK according to their authority.

Article 32

In the event that the Regulating and Monitoring Institution finds a Suspicious Financial Transaction that was not reported to the PPATK by the Reporting Party, the Regulating and Monitoring Institution shall inform the PPATK of such finding.

Article 33

The Regulating and Monitoring Institution shall be obliged to inform the PPATK on any activity or transaction of the Reporting Party known or reasonably suspected to have been carried out, either directly or indirectly, for the purpose of committing money laundering crimes as referred to in Article 3, Article 4, and Article 5.

CHAPTER I

CARRYING CASH CURRENCY AND OTHER NEGOTIABLE INSTRUMENTS

INTO OR OUTSIDE OF THE INDONESIAN CUSTOMS TERRITORY

Article 34

- (1) Every person carrying cash currency either in rupiah currency and/or foreign currency, and/or other negotiable instruments in the form of checks, travelers checks, promissory notes, or payment orders (*bilyet giro*) of at least Rp100,000,000.00 (one hundred million rupiah) into or outside of the Indonesian customs territory must report this transaction to the Directorate General of Customs and Excise.
- (2) The Directorate General of Customs and Excise must prepare a report regarding the transportation of such cash currency and/or other negotiable instruments as referred to in paragraph (1) and must inform the PPATK at the latest within five (5) work days as from the date such notification was received.
- (3) PPATK may request for additional information from the Directorate General of Customs and Excise concerning the transportation of such cash currency and/or other negotiable instruments as referred to in paragraph (1).

Article 35

- (1) Any person who does not notify carrying cash currency and/or other negotiable instruments as referred to in Article 34 paragraph (1), shall be subject to an administrative sanction in the form of a fine in the amount of 10% (ten percent) of the total value of cash currency and/or other negotiable instruments carried, with a maximum of Rp300,000,000.00 (three hundred million rupiah).
- (2) Any person who has declared carrying cash currency and/or other negotiable instruments as referred to in Article 34 paragraph (1), but the total amount of cash currency and/or other negotiable instruments is greater than the sum declared shall be subject to an administrative sanction in the form of a fine in the amount of 10% (ten percent) of the total excess value of cash currency and/or other negotiable instruments carried, with a maximum of Rp300,000,000.00 (three hundred million rupiah).
- (3) The administrative sanction as referred to in paragraph (1) and paragraph (2) related with carrying cash currency and/or other negotiable instruments shall be deducted immediately from the cash currency carried and deposited into the State Treasury by the Directorate General of Customs and Excise.
- (4) The Directorate General of Customs and Excise shall prepare a report regarding the administrative sanction imposed as referred to in paragraph (1) and paragraph (2) and notify the PPATK at the latest within five (5) working days as from the date the administrative sanction was imposed.

Article 36

Further provisions concerning the notification procedures of carrying cash currency and/or other negotiable instruments, imposition of administrative sanctions and depositing into the State Treasury as referred to in Article 34 and Article 35 shall be stipulated in a Government Regulation.

CHAPTER VI

THE FINANCIAL TRANSACTION REPORTS AND ANALYSIS CENTER (PPATK)

Section One

Domicile

Article 37

- (1) In implementing its duties and authority, the PPATK shall be independent and free of intervention and influence from any authority whatsoever.
- (2) PPATK shall be responsible to the President [of the Republic of Indonesia]
- (3) No party shall be allowed to intervene in any form in PPATK's performance of duties and authority.
- (4) PPATK shall be obliged to reject and/or ignore any intervention from any party whatsoever in implementing its duties and authority.

Article 38

- (1) PPATK is domiciled in the Capital City of the Republic of Indonesia
- (2) When necessary, the PPATK may open its representative offices in the regions.

Section Two

Function, Duties, and Authority

Article 39

The PPATK has duties in preventing and eradicating the crime of money laundering.

Article 40

In the performance of its duties as referred to in Article 39, the PPATK has the following functions:

- a. prevention and eradication of the crime of money laundering
- b. management of data and information obtained by the PPATK;
- c. monitoring the compliance of Reporting Parties; and
- d. analysis or examination of reports and information of Financial Transactions that indicate the crime of money laundering and/or other crimes as referred to in Article 2 paragraph (1).

Article 41

- (1) In the performance of its function of prevention and eradication of money laundering crimes as referred to in Article 40 sub-paragraph a, the PPATK shall be authorized to:
 - a. request for and obtain data and information from government institutions and/or private institutions that possess an authority to manage data and information, including from government institutions and/or private institutions that obtain reports from certain professions;
 - b. establish identification guidelines of Suspicious Financial Transaction;
 - c. coordinate efforts with relevant agencies in the prevention of money laundering crimes;
 - d. provide recommendations to the Government concerning preventive efforts of money laundering crimes;
 - e. represent the Government of the Republic of Indonesia in international organizations and forums related to the prevention and eradication of money laundering crimes;
 - f. conduct anti money laundering education and training programs; and
 - g. socialize the prevention and eradication of money laundering crimes;
- (2) data and information submitted by public and/or private institutions to the PPATK as referred to in paragraph (1) sub-paragraph a, shall be exempted from the provisions regarding secrecy;
- (3) further provisions regarding the procedures for submitting data and information by public and/or private institutions as referred to in paragraph (1) sub-paragraph a, shall be stipulated in Government Regulations.

Article 42

In the performance of its function to manage data and information as referred to in Article 40 sub-paragraph b, the PPATK shall be authorized to maintain an Information system.

Article 43

In the performance of its function to monitor the compliance of Reporting Parties as referred to in Article 40 sub-paragraph d, the PPATK shall authorized to:

- a. establish provisions and guidelines on the procedure for reporting for Reporting Parties;
- b. establish categories of Services Users that have the potential of committing money laundering crimes;
- c. perform compliance audits or specific audits;
- d. submit information from audit results to institutions authorized to monitor Reporting Parties.
- e. issue reminders to Reporting Parties who have violated the reporting obligations;
- f. make recommendations to authorized institutions to revoke business permits of Reporting Parties; and
- g. establish provisions regarding Know Your Customer Principles for Reporting Parties who do not have a Regulating and Monitoring Institution.

Article 44

- (1) In the framework of performing its function to analyze and examine reports and information as referred to in Article 40 sub-paragraph e, the PPATK shall be authorized to:
 - a. request for and obtain reports and information from Reporting Parties;
 - b. request for information from relevant agencies or parties;
 - c. request for information from Reporting Parties based on the progress of analysis results performed by the PPATK;
 - d. request for information from Reporting Parties based on requests from law enforcement agencies or overseas partners;
 - e. pass on information and/or analysis results to requesting agencies within or outside the country;
 - f. obtain reports and/or information from society on a suspicion of the crime of money laundering;
 - g. request for information from the Reporting Party and other party related with a suspicion of the crime of money laundering;
 - h. provide recommendations to law enforcement agencies on the importance of performing an interception or tap-wiring on electronic information and/or electronic documents in accordance with prevailing laws and regulations;
 - i. request providers of financial services to suspend the entire or part of Transactions temporarily that are known or suspected to be the proceeds of a crime;
 - j. request for information on the progress of pre-investigation and investigation performed by an investigator of the predicate crime as well as money laundering crime;

- k. perform other administrative activity within the scope of duties and authority in accordance with this Law; and
 - l. pass on the analysis result or examination to investigators.
- (2) Providers of financial services as referred to in paragraph (1) sub-paragraph I shall oblige to follow up immediately as from the receipt of a request from the PPATK.

Article 45

Provisions of prevailing laws and regulations and ethical codes pertaining to secrecy do not apply to the PPATK in the performance of its authority as referred to in this Law,

Article 46

Further provisions concerning procedures of performing PPATK's authority shall be stipulated in the Presidential Regulation.

Section Three

Accountability

Article 27

- (1) The PPATK shall prepare and submit the report on implementation of its duties, functions and authority periodically in every 6 (six) months.
- (2) Reports as referred to in paragraph 91) shall be submitted to the President and the House of People's Representatives.

Section Four

The Organizational Structure

Article 48

The Organizational Structure of the PPATK shall comprise of:

- a. Head;
- b. Deputy Head;
- c. Other Structural Positions; and
- d. Functional positions.

Article 49

- (1) The Head of PPATK as referred to in Article 48 sub-paragraph a, shall represent the PPATK inside and outside of a court.

- (2) The Head of PPATK may delegate his/her authority to represent as referred to in paragraph (1) to a Deputy Head of PPATK and/or one or several employees of the PPATK, and/or other parties specially appointed to do so.

Article 50

The Head of PPATK shall carry the responsibility of leading and controlling the performance of PPATK's duties, functions and authority.

Article 51

To be able being appointed as the Head or Deputy Head of the PPATK, a candidate must meet the following requirements:

- a. an Indonesian citizen
- b. shall be minimum forty (40) and maximum sixty (60) years of age at the time of his/her appointment.
- c. healthy in body and mind;
- d. devout, honest, fair, and possess a good personal integrity.
- e. possesses expertise in either economics, accountancy, finance or law with at least ten (10) years experience in that field.
- f. is not a leader of a political party;
- g. willing to provide Information regarding a list of personal assets;
- h. does not hold multiple functions or occupations concurrently; and
- i. has never served a prison term.

Article 52

- (1) The Deputies of PPATK shall assist the Head of PPATK.
- (2) In the performance of their duties as Deputies of the PPATK as referred to in paragraph (1), they shall be responsible to the Head of PPATK.
- (3) In the event that the Head of PPATK is unavailable, Deputies of the PPATK shall be responsible to chair and control the implementation of duties, functions and authority of the PPATK.

Article 53

The Head and Deputies of the PPATK as referred to in Article 48 sub-paragraph a and sub-paragraph b are appointed and dismissed by the President.

Article 54

- (1) Prior to assuming their positions, the Head and Deputies of the PPATK must swear an oath or make an affirmation according to his/her religion or faith before the President.

(2) The oath or affirmation as referred to in paragraph (1) shall be as follows:

"I swear/affirm, that in order to become Head/Deputy of PPATK I have not directly or indirectly, in whatever name and reason, given or promised to give anything to anybody".

"I swear/affirm that in performing or not performing any actions in this position, I will not accept, neither directly nor indirectly, from whomsoever a promise or gift in whatsoever form".

"I swear/affirm that I will keep secret toward whosoever any matters, which according to prevailing laws and regulations must be kept secret".

"I swear/affirm that I will perform my duties and authority as Head/Deputy Head of PPATK to the best [of my ability] with full responsibility".

"I swear/affirm that I will be loyal to the state, constitution, and prevailing laws and regulations.

Article 55

The Head and Deputies of the PPATK will hold their office for five (5) years term of office and may be reappointed for one subsequent term of office.

Article 56

The positions of Head or Deputies of the PPATK may be dismissed for the following reasons:

- a. death
- b. resignation;
- c. expiration of term of office; or
- d. dismissed.

Article 57

(1) The dismissal of the Head or a Deputy of the PPATK as referred to in Article 56 sub-paragraph d, shall be conducted for the following reasons:

- a. resides outside of the territory of the Republic of Indonesia;
- b. has lost the citizenship of the Republic of Indonesia;
- c. suffers a continuous illness, from which the recovery will take more than three (3) month preventing him/her from performing his/her duties;
- d. sentenced to a prison term according to a court ruling that obtained permanent legal force.
- e. holds concurrently multiple positions;
- f. has been declared bankrupt by a court; or

- g. has violated the oath or affirmation of office.
- (2) In the event that the Head and/or a Deputy of the PPATK become a defendant in a crime related to abuse of office, he/she may be temporarily suspended from office.
- (3) In the event that the charges against the Head and/or a Deputy of the PPATK for which he/she became a defendant proven not guilty under a court ruling that has obtained permanent legal force, his/her office shall be restored.
- (4) Removal from office as referred to in paragraph (1) and paragraph (2) shall be determined by the President.

Article 58

- (1) The Head and Deputies of the PPATK have the right to receive remuneration, other rights, perquisites and facilities.
- (2) Provisions concerning remuneration, other rights, perquisites and facilities for the Head and Deputies of the PPATK shall be stipulated in a Government Regulation.

Article 59

The Head of PPATK may appoint experts maximum 5 (five) persons to assist in giving advices related to specific issues according to the latter's field of expertise.

Article 60

Further provisions concerning the Organizational Structure and working procedures of the PPATK shall be stipulated in a Presidential Regulation.

Section Five

Human Resource Management

Article 61

The Head of PPATK is the official leading the personnel within the PPATK.

Article 62

- (1) The Head of PPATK who is officially leading the personnel, shall manage the human resources of PPATK which includes planning, appointing, transferring, developing, dismissing, and providing remunerations.
- (2) The management of human resources at PPATK as referred to in paragraph (1) shall be developed and implemented according to principles of meritocracy.
- (3) Further provisions regarding the human resources management of PPATK as referred to in paragraph (2) shall be stipulated in Government Regulation.

Section Six

Financing

Article 63

The cost for performing the duties of PPATK shall be charged to the State Budget

CHAPTER VII

EXAMINATION AND SUSPENSION OF TRANSACTIONS

Article 64

- (1) PPATK may perform an examination on a Suspicious Financial Transaction related with an indication of the crime of money laundering or other crimes.
- (2) In the event that an indication of the crime of money laundering or other crime is found, the PPATK shall submit the result of examination to an investigator for an investigation.
- (3) In performing an investigation as referred to in paragraph (2), an investigator shall coordinate with the PPATK.

Article 65

- (1) The PPATK may request the providers of financial services to suspend the entire and part of Transactions as referred to in Article 44 paragraph (1) sub-paragraph 1.
- (2) In the case that providers of financial services fulfill a request of the PPATK as referred to in paragraph (1), implementation of the suspension of transactions shall be described in the Minutes of the suspension of transactions.

Article 66

- (1) The suspension of transactions as referred to in Article 65 paragraph (1) shall be performed within no longer than 5 (five) working days as from the Minutes of Suspension of Transactions is obtained.
- (2) The PPATK may extend a suspension of transactions as referred to in paragraph (1) within no longer than 15 (fifteen) working days for completing the result of analysis or examination that will be submitted to investigators.

Article 67

- (1) In case there is no person and/or third parties who file objections within 20 (twenty) days as from the date of the suspension of transactions, the PPATK shall hand over the handling of Property that is known or reasonably suspected to constitute proceeds of crime to the investigator for investigation.

- (2) In the case of an alleged criminal is not found within 30 (thirty) days, the investigator may apply to the district court to decide on the Property as the State asset or is returned to the beneficiary.
- (3) The court as referred to in paragraph (2) must decide within no longer than 7 (seven) days

CHAPTER VIII

INVESTIGATION, PROSECUTION, AND EXAMINATION IN A COURT OF LAW

Section One

General

Article 68

Investigation, prosecution, and trial of criminal acts in a court of law and execution of a court ruling that has obtained permanent legal force, as referred to in this Law, shall be conducted based on the Criminal Procedures Code unless otherwise provided in this Law.

Article 69

In order to enable investigation, prosecution and trial in a court of law, regarding the money laundering crime, it is not mandatory to prove the predicate crime beforehand.

Article 70

- (1) The investigator, public prosecutor, or judge has the authority to order the Reporting Party to suspend a Transaction of Assets known or reasonably suspected to constitute proceeds of criminal acts.
- (2) Orders issued by an investigator, public prosecutor, or Judge as referred to in paragraph (1) must be in issued in writing and clearly state:
 - a. the name and position of the party requesting the suspension of a Transaction.
 - b. identity of every person whose Transaction is being suspended;
 - c. reason for suspending the Transaction; and
 - d. location of the Assets.
- (3) Suspension of the Transaction as referred to in paragraph (1) shall apply for a maximum of five (5) working days.
- (4) The Reporting Party must suspend the Transaction the moment he/she receives a written order from the investigator, public prosecutor or Judge to suspend a Transaction.

- (5) The Reporting Party must submit the Minutes of the suspension of a Transaction to the investigator, public prosecutor, or Judge who ordered the suspension of Transactions within no longer than (1) working day after the date of suspension of the transaction.

Article 71

- (1) The investigator, public prosecutor, or Judge has the authority to order the Reporting Party to freeze the Assets known or reasonably suspected to constitute proceeds of criminal acts of:
 - a. any person who has been reported to the investigator by PPATK.
 - b. the suspect; or
 - c. the defendant.
- (2) Orders issued by an investigator, public prosecutor, or Judge as referred to in paragraph (1) must be issued in writing and clearly state:
 - a. name and position of the investigator, the public prosecutor, or the Judge
 - b. the identity of every person who has been reported to the investigator by PPATK, the suspect, or the defendant;
 - c. the reason to freeze;
 - d. the criminal offense being suspected or accused of; and
 - e. location of the Assets.
- (3) The freezing as referred to in paragraph (1) shall apply for a maximum of thirty (30) working days.
- (4) In the case the freezing period as referred to in paragraph (3) is over, the Reporting Party shall oblige to conclude the freezing under the law.
- (5) The Reporting Party must carry out the freeze the moment he/she receives a written order from the investigator, public prosecutor or Judge to carry out such freeze.
- (6) The Reporting Party must submit the Minutes of freezing to the investigator, public prosecutor or Judge who ordered the freezing at the latest one (1) working day following the implementing date of the freeze.
- (7) The frozen Assets must remain with the relevant Reporting Party.

Article 72

- (1) For the purpose of examination of a case of money laundering crime, the investigator, public prosecutor or Judge shall authorize to request the Reporting Party to obtain written information pertaining to the Assets from:
 - a. persons who have been reported to the investigator by PPATK.

- b. the suspect; or
 - c. the defendant.
- (2) In requesting for information as referred to in paragraph (1) provisions of law regulating bank secrecy and other Financial Transactions secrecy shall not apply to the investigator, public prosecutor or Judge.
- (3) A request for information as referred to in paragraph (1) must be submitted clearly stating:
- a. name and position of the investigator, the public prosecutor or the Judge
 - b. the identity of the person(s) indicated in the PPATK's analysis, the suspect, or the defendant;
 - c. short description of the criminal offense being suspected or accused of; and
 - d. location of the Assets.
- (4) The request as referred to in paragraph (3) must be accompanied by:
- a. a police report and a written investigation order;
 - b. a written appointment as public prosecutor; or
 - c. a written ruling of a panel of judges
- (5) The written request to obtain information as referred to in paragraph (1) and paragraph (2) must be signed by:
- a. the Chief of the Indonesian National Police or the Regional Chief of Police if the request was filed by an investigator of the Indonesian National Police.
 - b. the chairman of an agency or institution or commission if the request was filed by an investigator other than an investigator of the Indonesian National Police.
 - c. the Attorney General of the Republic of Indonesia or the Head of the Provincial Attorney General's office if the request is filed by the investigating attorney and/or a public attorney; or
 - d. the chief judge of a panel examining the relevant case.
- (6) A copy of the written request as referred to in paragraph (4) shall be sent to the PPATK.

Article 73

Valid evidence in proving the crime of money laundering shall be:

- a. evidence as referred to in the Criminal Procedures Code; and/or
- b. other evidence in the form of information spoken, transmitted, received, or electronically stored with optical equipment or similar to those and Documents.

Section Two

Investigation

Article 74

Criminal investigation of a money laundering crime shall be conducted by the investigator of the predicate crime in accordance with the provisions of the prevailing laws and regulations unless otherwise provided for in this Law.

Article 75

In the event that an investigator finds indications of the occurrence of money laundering crime and the predicate crime, the investigator will combine the criminal investigation between crimes of money laundering and its predicate crime and shall notify the PPATK.

Section Three

Prosecution

Article 76

- (1) The public prosecutor shall oblige to submit the case file pertaining to the money laundering crime to the district court at the latest thirty (30) working days as from the date of a receipt of the case file that has been declared complete.
- (2) As soon as the public prosecutor has submitted the case file to the district court as referred to in paragraph (1), the Chief of the district court must establish a panel of judges to handle the case at the latest three (3) working days following a receipt of the said case file.

Section Four

Trial in a Court of Law

Article 77

For the purpose of the trial in a court of law, the defendant must prove that the Assets do not constitute the proceeds of criminal acts.

Article 78

- (1) During the court trial as referred to in Article 77, the Judges will order the defendant to prove that the Assets related with the case do not originate from or are not linked to criminal acts as referred to in Article 2 paragraph (1).
- (2) The defendant must prove that the Assets related with the case do not originate from and are not linked to criminal acts as referred to in Article 2 paragraph (1) by submitting sufficient evidence.

Article 79

- (1) In the event that the defendant has been summoned using a valid and appropriate subpoena, and does not appear in court without a valid reason, the case can be examined and ruled in the absence of the defendant ('in absentia').
- (2) In the event that the defendant is present at the subsequent court session before a sentence delivered, the defendant must be examined and all witness testimonies and documents read in the previous sessions are considered to have been spoken during the current session.
- (3) A sentence passed 'in absentia' shall be announced by the public prosecutor on a court announcement board, a regional government office, or notified to the defendant's attorney.
- (4) In the event of the defendant's death prior to the passing of a sentence and sufficient strong evidence is available proving that the defendant has committed a money laundering crime, upon the public prosecutor's request the Judge will rule the confiscation of the seized Assets.
- (5) Legal remedy may not be sought following a ruling to confiscate as referred to in paragraph (4).
- (6) Any person with interest may submit an objection to the court that passed the sentence as referred to in paragraph (5) within thirty (30) days following the date of announcement as referred to in paragraph (3).

Article 80

- (1) In the event that the judge has passed a sentence as referred to in Article 79 paragraph (3) the *in-absentia* convict may file for an appeal.
- (2) An appeal as referred to in paragraph (1) shall be filed directly by the defendant within no later than seven (7) days following the court judgment is read out.

Article 81

In the event that sufficient evidence is obtained about Assets that have not been seized, the judge shall order the public prosecuting attorney to seize those Assets.

Article 82

In the event that the criminal activity was conducted by a corporation, the subpoena shall be delivered to the management at their residence or the place where the management takes office..

CHAPTER IX

PROTECTION OF THE REPORTING PARTY AND WITNESS(ES)

Article 83

- (1) Officials and employees of the PPAATK, investigators, public prosecutor, or judge must keep secret of the Reporting Party and the reporting person.
- (2) Violation of the provision as referred to in paragraph (1) may allow the reporting person or his/her heirs to claim compensation through a court of law.

Article 84

- (1) The state must provide special protection to any person reporting the occurrence of a suspicion of money laundering crimes, from the possibility of threats that may endanger himself/herself personally, emotionally, and/or his/her assets, including his/her family.
- (2) Further provisions regarding the procedure of providing special protection as referred to in paragraph (1) shall be stipulated in laws and regulations.

Article 85

- (1) During the court session(s), witnesses, public prosecutor, judge, and other persons related to the money laundering crime being tried, are prohibited from mentioning the name or address of the reporting person, or mentioning of any other matters that may lead to the disclosure of the reporting person's identity.
- (2) During each session prior to the commencement of the trial, the judge must remind the witness(es), public prosecutor, and any other person related to the trial about the prohibition as referred to in paragraph (1).

Article 86

- (1) Any person giving a testimony during the trial of the money laundering crime, must be provided protection by the state from the possibility of threats endangering himself/herself personally, emotionally, and/or his/her assets including his/her family.
- (2) Further provisions regarding the procedure of providing special protection as referred to in paragraph (1) shall be stipulated in laws and regulations.

Article 87

- (1) A reporting person and/or witness cannot be prosecuted, neither in a civil suit nor in a criminal charge for having reported and/or giving testimony.
- (2) A witness committing perjury may still be subject to a criminal sanction in accordance with provisions of the Penal Code.

CHAPTER X

COOPERATION IN THE PREVENTION AND ERADICATION OF THE CRIME OF MONEY LAUNDERING

Article 88

- (1) Cooperation at national level between the PPATK and relevant parties may be established with or without a formal form of cooperation.
- (2) The relevant parties as referred to in paragraph (1) shall be parties that are related to the prevention and eradication of the crime of money laundering in Indonesia either directly or indirectly.

Article 89

- (1) PPATK shall perform international cooperation with similar overseas institutions and international institutions linked to the prevention and eradication of the crime of money laundering
- (2) International cooperation as conducted by the PPATK may be carried out by virtue of a formal cooperation [agreement] or based on reciprocity principles.

Article 90

- (1) In its efforts to prevent and eradicate the crime of money laundering, the PPATK may cooperate by exchanging information in forms of a request, giving and receiving information with parties at national as well as international levels, which include:
 - a. law enforcement agencies;
 - b. an institution authorized to supervise the providers of financial services;
 - c. an agency authorized to examine the management and accountability of state finances.
 - d. other agencies related to the prevention and eradication of the crime of money laundering or other criminal acts related to the crime of money laundering; and
 - e. Finance Intelligence Units (FIU) of other countries.
- (2) Requesting, providing, and receiving Information in the framework of Information exchange as referred to in paragraph (1) may be carried out at its own initiative or at the request of a party entitled to request information from PPATK.
- (3) A request of information as referred to in paragraph (1) to the PPATK shall be submitted in writing and signed by:
 - a. the Chairman of a panel of judges;
 - b. the Chief of the Indonesian National Police, or Chief of the Regional Police;
 - c. the Indonesian Attorney General or the Head of the Provincial Attorney General's office;
 - d. the chairman of an agency or institution or commission, if the request is applied for by an investigator other than an investigator of the Indonesian National Police;

- e. the chairman, directors or officials at same level, or the head of a work unit or the office of an agency authorized to oversee Financial Services Providers;
- f. the chairman of the agency authorized to examine the management and accountability of state finances;
- g. the chairman of other agencies related to the prevention and eradication of the crime of money laundering or other criminal acts related to the crime of money laundering; or
- h. the chairman of Financial Intelligence Units (FIU) of other countries.

Article 91

- (1) In the framework of preventing and eradicating the crime of money laundering, a mutual legal assistance on criminal matters may be engaged in with other countries through bilateral and multilateral forums in accordance with prevailing laws and regulations.
- (2) A mutual legal assistance as referred to in paragraph (1) may be engaged if the country concerned has entered into an agreement on mutual legal assistance with the Republic of Indonesia or based on reciprocity principles.

Article 92

- (1) To improve the interagency coordination related to the prevention and eradication of the crime of money laundering, a National Coordinating Committee for the Prevention and Eradication of the crime of money laundering shall be established.
- (2) Provisions regarding the establishment of the National Coordinating Committee for the Prevention and Eradication of the crime of money laundering shall be stipulated in a Presidential Regulation.

CHAPTER XI

OTHER PROVISIONS

Article 93

In the event of there are developments of international conventions or international recommendations in the prevention and eradication of the crime of money laundering and terrorist financing, the PPATK and other related agencies may carry out those provisions in accordance with this Law.

CHAPTER XII

TRANSITIONAL PROVISIONS

Article 94

As of the enactment of this Law:

- a. PPATK, which establishment is based on Law Number 15 of 2002 concerning the Crime of Money Laundering as amended by Law Number 25 of 2003 concerning Amendment of Law Number 15 of 2002 concerning the Crime of Money Laundering, shall be by virtue of this Law determined as the PPATK.
- b. PPATK, which establishment is based on Law Number 15 of 2002 concerning the Crime of Money Laundering as amended by Law Number 25 of 2003 concerning Amendment of Law Number 15 of 2002 concerning the Crime of Money Laundering, shall remain carrying out its functions, duties and authority by virtue of this Law.
- c. The organizational structure of PPATK, which establishment is based on Law Number 15 of 2002 concerning the Crime of Money Laundering as amended by Law Number 25 of 2003 concerning Amendment of Law Number 15 of 2002 concerning the Crime of Money Laundering, shall remain applicable until a new organizational structure of PPATK has been formed by virtue of this Law.
- d. The Head and Deputies of the PPATK, who have been appointed by virtue of Law Number 15 of 2002 concerning the Crime of Money Laundering as amended by Law Number 25 of 2003 concerning Amendment of Law Number 15 of 2002 concerning the Crime of Money Laundering, shall remain carrying out their functions, duties and authority until such time that a new Head and Deputies have been appointed, for a period of maximum one (1) year as from the effective date of this Law.
- e. The National Coordinating Committee for the Prevention and Eradication of the crime of money laundering, which establishment is based on Law Number 15 of 2002 concerning the Crime of Money Laundering as amended by Law Number 25 of 2003 concerning Amendment of Law Number 15 of 2002 concerning the Crime of Money Laundering, shall remain carrying out their functions, duties and authority until such time the National Coordinating Committee for the Prevention and Eradication of the crime of money laundering is established by virtue of this Law.

Article 95

The crime of money laundering committed before the enactment of this law shall be tried and sentenced under [the provisions of] Law Number 15 of 2002 concerning the Crime of Money Laundering as amended by Law Number 25 of 2003 concerning Amendment of Law Number 15 of 2002 concerning the Crime of Money Laundering.

CHAPTER XII

CLOSING PROVISIONS

Article 96

Implementation of the reporting obligations by providers of goods/other services as referred to in Article 27 paragraph (1) shall be carried out at the latest 2 (two) years after the enactment of this Law.

Article 97

Implementation of the reporting obligations on Financial Transactions of fund transfer from and to other countries as referred to in Article 23 paragraph (1) sub-paragraph c, shall be carried out at the latest 5 (five) years after the enactment of this Law.

Article 98

All regulations regarding the implementation of Law Number 15 of 2002 concerning the Crime of Money Laundering as amended by Law Number 25 of 2003 concerning Amendment of Law Number 15 of 2002 concerning the Crime of Money Laundering, as far as they do not conflict or have not been amended in accordance with this Law, shall remain in force.

Article 99

At the time this Law comes into effect, Law Number 15 Year 2002 concerning the Crime of Money Laundering (State Gazette of the Republic of Indonesia Year 2002 Number 30, Supplementary State Gazette of the Republic of Indonesia Number 4191) as amended by Law Number 25 Year 2003 on the Amendment of Law Number 15 Year 2002 concerning the Crime of Money Laundering (State Gazette of the Republic of Indonesia Year 2003 Number 108, Supplementary State Gazette of the Republic of Indonesia Number 4324) shall be revoked and declared invalid.

Article 100

This law shall come into effect as of the date of promulgation.

So as to be known by the public, the promulgation of this Law is ordered to be by [publication in] the State Gazette of the Republic of Indonesia.

Ratified in Jakarta

Dated on 22nd October 2010

THE PRESIDENT OF

THE REPUBLIC OF INDONESIA

SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta

Dated on 22nd October 2010

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

PATRIALIS AKBAR

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2010 NUMBER 122