

LAW OF THE REPUBLIC OF INDONESIA  
NUMBER 8 OF 2010  
ON  
PREVENTION AND ERADICATION OF CRIMINAL ACT OF MONEY  
LAUNDERING

BY THE BLESSINGS OF ALMIGHTY GOD

PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering : a. that the criminal act of Money Laundering does not only threaten economic stability and the integrity of the financial system, it can also jeopardize the principles of life as a community, nation, and state based on Pancasila and the 1945 Constitution of the Republic of Indonesia;

b. that the prevention and eradication of the criminal act of Money Laundering requires a strong legal basis to ensure legal certainty, effectiveness of law enforcement, as well as the tracing, and recovery of Assets which are the proceeds of a criminal act;

c. that Law Number 15 of 2002 on Criminal Act of Money Laundering as amended by Law Number 25 of 2003 needs to be adjusted to the development of law enforcement needs, practices, and international standards, and therefore it needs to be replaced with a new law;

d. that based on the considerations as referred to in point a, point b, and point c, it is necessary to establish a Law on Prevention and Eradication of Criminal Act of Money Laundering;

Observing : Article 5 section (1) and Article 20 of the 1945 Constitution of the Republic of Indonesia;

With the Joint Approval of  
THE HOUSE OF REPRESENTATIVES  
and  
THE PRESIDENT OF THE REPUBLIC OF INDONESIA

HAS DECIDED:

To enact : LAW ON PREVENTION AND ERADICATION OF CRIMINAL  
ACT OF MONEY LAUNDERING.

CHAPTER I  
GENERAL PROVISIONS

Article 1

In this Law:

1. Money Laundering means all acts fulfilling the elements of a criminal act in accordance with the provisions of this Law.
2. Financial Transaction Reports and Analysis Center (*Pusat Pelaporan dan Analisis Transaksi Keuangan*), hereinafter abbreviated to PPATK means an independent agency established in the context of preventing and eradicating the criminal act of Money Laundering.
3. Transaction means all activities creating rights and/or obligations or causing the creation of legal relationship between two or more parties.
4. Financial Transaction means a Transaction to conduct or receive any placement, depositing, withdrawal, overbooking, transfer, payment, grant, donation, custody, and/or exchange of a certain amount of money or other acts and/or activities related to money.
5. Suspicious Financial Transaction means as follows:
  - a. Financial Transactions deviating from the profile, characteristics, or customary Transaction patterns of the relevant Customers;
  - b. Financial Transactions conducted by Customers which can be reasonably suspected as Transactions conducted with the purpose of avoiding the mandatory reporting of the relevant Transactions by the Reporting Parties in accordance with the provisions of this Law;
  - c. Financial Transactions conducted or cancelled using Assets which are suspected to originate from the proceeds of a criminal act; or
  - d. Financial Transactions requested by PPATK to be reported by the Reporting Parties, since they involve Assets which are suspected to originate from the proceeds of a criminal act.
6. Cash Financial Transaction means Financial Transactions conducted by using banknotes and/or coins.
7. Examination means the process of problem identification, analysis, and evaluation of Suspicious Financial Transactions conducted in an independent, objective, and professional manner with the aim of assessing the allegation of a criminal act.
8. Examination Result means the final assessment of the overall process of problem identification, analysis and evaluation of Suspicious Financial Transactions conducted in an independent, objective and professional manner which is submitted to the investigators.
9. Any Person means an individual person or Corporation.
10. Corporation means an organized group of people and/or wealth, either in the form of a legal entity or non-legal entity.

11. Reporting Parties means Any Person that, in accordance with this Law, is obligated to submit a report to PPATK.
12. Customer means any party using the services of the Reporting Parties.
13. Asset means all moveable or immovable assets, either tangible or intangible, which are acquired either directly or indirectly.
14. Corporation Controlling Personnel means any person who has the power or authority as the Corporation's policy maker or who has the authority to implement the Corporation's policy without having to obtain authorization from his/her superior.
15. Conspiracy means an act committed by two or more persons having agreed to commit the criminal act of Money Laundering.
16. Document means any data, recording, or information that can be seen, read, and/or heard, that can be issued with or without the assistance of an instrumentality, either on paper, or any physical object other than paper, or those electronically recorded, including but not limited to the following:
  - a. writing, audio, or images;
  - b. maps, designs, photographs, or any other similar forms;
  - c. letters, signs, numbers, symbols, or perforations which have meaning or are comprehensible by those able to read or understand them.
17. Supervisory and Regulatory Agency means any agency having the authority for supervision, regulation, and/or the imposition of sanctions on the Reporting Parties.
18. Compliance Supervision means a series of activities of the Supervisory and Regulatory Agency and PPATK to ensure the Reporting Parties' compliance with its reporting obligations pursuant to this Law by issuing reporting provisions or guidelines, conducting compliance audit, monitoring the reporting obligations, and imposing sanctions.

## Article 2

- (1) The proceeds of a criminal act is the Assets obtained from the following criminal acts:
  - a. corruption;
  - b. bribery;
  - c. narcotics;
  - d. psychotropic substances;
  - e. smuggling of workers;
  - f. smuggling of migrants;
  - g. in the field of banking;
  - h. in the field of capital markets;
  - i. in the field of insurance;
  - j. customs;
  - k. excise;
  - l. human trafficking;
  - m. illegal trade of arms;
  - n. terrorism;
  - o. kidnapping;

- p. theft;
  - q. embezzlement;
  - r. fraud;
  - s. money counterfeiting;
  - t. gambling;
  - u. prostitution;
  - v. in the field of taxes;
  - w. in the field of forestry;
  - X. in the field of environment;
  - y. in the field of marine and fisheries; or
  - z. other criminal acts subject to criminal sanction of imprisonment for 4 (four) years or more, committed within the territory of the Unitary State of the Republic of Indonesia or outside the territory of the Unitary State of the Republic of Indonesia and such criminal act also constitutes a criminal act according to Indonesian law.
- (2) Assets known or reasonably suspected of going to be used and/or of being used directly or indirectly for activities of terrorism, terrorist organizations, or individual terrorists treated as an equivalent of the proceeds of a criminal act as referred to in section (1) point n.

## CHAPTER II CRIMINAL ACT OF MONEY LAUNDERING

### Article 3

Any Person that places, transfers, diverts to, spends, pays, grants, entrusts, carries out of the country, changes form, exchanges with currencies or negotiable instruments, or undertakes other actions in respect of Assets known or reasonably suspected by such person as originating from the proceeds of a criminal act as referred to in Article 2 section (1) with the purpose of hiding or concealing the origin of the Assets, is sentenced to imprisonment for a maximum of 20 (twenty) years and a fine for a maximum of Rp10,000,000,000.00 (ten billion rupiah) for committing the criminal act of Money Laundering.

### Article 4

Any Person who hides or conceals the origin, source, location, allocation, transfer of rights, or the actual ownership of the Assets known or reasonably suspected by such person as originating from the proceeds of a criminal act as referred to in Article 2 section (1) is sentenced to imprisonment for a maximum of 20 (twenty) years and a fine for a maximum of Rp5,000,000,000.00 (five billion Rupiah) for committing the criminal act of Money Laundering.

### Article 5

- (1) Any Person who receives or controls the placement, transfer, payment, grant, donation, custody, exchange, or uses the Assets that are known or reasonably suspected by such person to originate from the proceeds of a criminal act as referred to in Article 2 section (1) is

sentenced to imprisonment for a maximum of 5 (five) years and a fine for a maximum of Rp1,000,000,000.00 (one billion Rupiah).

- (2) The provisions as referred to in section (1) is not applicable to a Reporting Parties who have performed its reporting obligations as regulated in this Law.

#### Article 6

- (1) In the event that the criminal act of Money Laundering as referred to in Article 3, Article 4, and Article 5 is committed by a Corporation, the criminal sanction is imposed on the relevant Corporation and/or the Corporation Controlling Personnel.
- (2) Criminal sanction is imposed on a Corporation if the criminal act of Money Laundering is:
  - a. committed or ordered by the Corporation Controlling Personnel;
  - b. committed in the context of the achievement of the Corporation's purposes and objectives;
  - c. committed in accordance with the duties and functions of the perpetrator or the party giving the order; and
  - d. committed with the purpose of providing benefits to the Corporation.

#### Article 7

- (1) The basic punishment that can be imposed on a Corporation is sentenced to a fine for a maximum of Rp100,000,000,000.00 (one hundred billion rupiah).
- 2) In addition to fine as referred to in section (1), additional punishment can also be imposed on the Corporation in the form of the following:
  - a. the announcement of the judge's decision;
  - b. the freezing of a portion of or the entire business activities of the Corporation;
  - c. the revocation of business license;
  - d. the dissolution and/or banning of the Corporation;
  - e. the confiscation of the Corporation's assets for the state; and/or
  - f. take-over of the Corporation by the state.

#### Article 8

In the event that the assets of the convict are insufficient to pay the fine as referred to in Article 3, Article 4, and Article 5, the aforementioned fine is replaced by imprisonment for a maximum of 1 (one) year and 4 (four) months.

#### Article 9

- (1) In the event that the Corporation is unable to pay the fine as referred to in Article 7 section (1), the aforementioned fine is replaced by the confiscation of Assets owned by the Corporation or the Corporation Controlling Personnel, the value of which is equivalent to the fine imposed.
- (2) In the event that the sale of the confiscated Assets of the Corporation as referred to in section (1) are insufficient,

the imprisonment as replacement of the fine is imposed on the Corporation Controlling Personnel by taking into account the paid fine.

#### Article 10

Any Person inside or outside the territory of the Unitary State of the Republic of Indonesia involved in an attempt, assistance, or Conspiracy for committing the criminal act of Money Laundering is sentenced as referred to in Article 3, Article 4, and Article 5.

### CHAPTER III

#### OTHER CRIMINAL ACTS RELATED TO THE CRIMINAL ACT OF MONEY LAUNDERING

#### Article 11

- (1) Officials or employees of PPATK, investigators, public prosecutors, judges, and Any Person who obtains Documents or statements in the context of the performance of their duties in accordance with this Law are obligated to maintain the confidentiality of such Documents or statements, except for complying with the obligations under this Law.
- (2) Any Person who violates the provisions as referred to in section (1) is sentenced to imprisonment for a maximum of 4 (four) years.
- (3) The provisions as referred to in section (1) are not applicable to the officials or employees of PPATK, investigators, public prosecutors, and judges if they are implemented in order to fulfill the obligations under the provisions of legislation.

#### Article 12

- (1) The board of directors, commissioners, management or employees of the Reporting Parties are prohibited from informing Customers or other parties, either directly or indirectly, in any manner about the report on Suspicious Financial Transactions being prepared or having been submitted to PPATK.
- (2) The provision regarding the prohibition as referred to in section (1) is not applicable to the provision of information to the Supervisory and Regulatory Agencies.
- (3) Officials or employees of PPATK or the Supervisory and Regulatory Agencies are prohibited from providing information on the Report on Suspicious Financial Transaction which is going to be reported or has been reported to PPATK, either directly or indirectly, in any manner to Customers or other parties.
- (4) The provision regarding the prohibition as referred to in section (3) is not applicable in the context of the fulfillment of obligations under this Law.
- (5) Those violating the provisions as referred to in section (1) and section (3) are sentenced to imprisonment for a maximum of 5 (five) years and a fine for a maximum of Rp1,000,000,000.00 (one billion Rupiah).

#### Article 13

In the event that the convict is unable to pay the fine as referred to in Article 12 section (5), the fine is replaced with the imprisonment for a maximum of 1 (one) year and 4 (four) months.

#### Article 14

Any Person intervening in the performance of the duties and authority of PPATK as referred to in Article 37 section (3) is sentenced to imprisonment for a maximum of 2 (two) years and a fine for a maximum of Rp500,000,000.00 (five hundred million Rupiah).

#### Article 15

Officials or employees of PPATK violating the obligation as referred to in Article 37 section (4) are sentenced to imprisonment for a maximum of 2 (two) years and a fine for a maximum of Rp500,000,000.00 (five hundred million rupiah).

#### Article 16

In the event that officials or employees of PPATK, investigators, public prosecutors, or judges handling cases of the criminal act of Money Laundering under examination, violate the provisions as referred to in Article 83 section (1) and/or Article 85 section (1) are sentenced to imprisonment for a maximum of 10 (ten) years.

### CHAPTER IV REPORTING AND COMPLIANCE SUPERVISION

#### Part One Reporting Parties

#### Article 17

- (1) Reporting Parties include:
  - a. financial service providers:
    1. banks;
    2. financing companies;
    3. insurance companies and insurance broker companies;
    4. financial agency pension funds;
    5. securities companies;
    6. investment managers;
    7. custodians;
    8. parties who represent the interest of Bond Holder;
    9. postal company as a provider of giro services;
    10. foreign exchange traders;
    11. providers of card-based payment instruments;
    12. providers of e-money and/or e-wallet;
    13. cooperatives engaging in savings and loan activities;
    14. pawn shops;
    15. company engaging in the field of commodity futures trading; or

16. providers of remittance services.
- b. other goods and/or service providers:
  1. real estate/property companies or agents;
  2. motor vehicle traders;
  3. diamond and jewelry/gold traders;
  4. art and antique goods traders; or
  5. auction houses.
- (2) Provision regarding Reporting Parties other than those as referred to in section (1) are regulated by a Government Regulation.

## Part Two

### Implementation of the Know-Your-Customer Principle

#### Article 18

- (1) The Supervisory and Regulatory Agencies stipulate provisions on the know-your-Customer principle.
- (2) The Reporting Parties are obligated to apply the know-your-Customer principle stipulated by the Supervisory and Regulatory Agencies as referred to in section (1).
- (3) The obligation to apply the know-your-Customer principle as referred to in section (2) is implemented at the following points in time:
  - a. engaging in a business relationship with Customers;
  - b. there is a Financial Transaction in Rupiah and/or other foreign currencies, the value of which is at least or equal to Rp100.000.000,00 (one hundred million rupiah);
  - c. there is a Suspicious Financial Transaction related to the criminal act of Money Laundering and the criminal act of terrorism financing; or
  - d. the Reporting Parties doubt the correctness of information reported by Customers.
- (4) The Supervisory and Regulatory Agencies are obligated to supervise the compliance of the Reporting Parties in applying the know-your-Customer principle.
- (5) The know-your-Customer principle at least include the following:
  - a. identification of Customers;
  - b. verification of Customers; and
  - c. monitoring of Customers' Transactions.
- (6) In the event of the absence of a Supervisory and Regulatory Agency, provisions on the know-your-Customer principle and the supervision thereof are regulated by a Regulation of the Head of PPATK.

#### Article 19

- (1) Any Person conducting Transaction with the Reporting Parties is obligated to provide identity and information required by the Reporting Parties and such information at least indicate the identity, the source of funds, and the purpose of the Transaction by filling out the form submitted by the Reporting Parties and attaching the supporting Documents.



- (2) In the event that the Transaction is conducted for the interest of another party, Any Person as referred to in section (1) is obligated to provide information regarding the identity, the source of funds and the purpose of the Transaction of such other party.

#### Article 20

- (1) The Reporting Parties are obligated to know whether a Customer conducting Transactions with the Reporting Parties are acting for his/her own behalf or for and on behalf of another person.
- (2) In the event that the Transactions with the Reporting Parties are conducted for their own behalf or for and on behalf of another person, the Reporting Parties are obligated to request information regarding the identity and supporting Documents of the Customers and such other person.
- (3) In the event that the identity and/or supporting Documents submitted as referred to in section (2) are incomplete, the Reporting Parties are obligated to reject the Transactions with the aforementioned person.

#### Article 21

- (1) The identity and supporting Documents requested by the Reporting Parties must be in accordance with the provisions of legislation issued by every Supervisory and Regulatory Agencies.
- (2) The Reporting Parties are obligated to maintain records and Documents regarding the identity of the parties conducting Transactions for a minimum period of 5 (five) years as from the end of the business relation with the aforementioned Customers.
- (3) Reporting Parties failing to perform the obligation as referred to in section (2) is subject to sanction in accordance with the provisions of legislation.

#### Article 22

- (1) Financial service providers as referred to in Article 17 section (1) point a is obligated to terminate business relationship with Customers in the following events:
  - a. the Customers refuse to comply with the know-your-Customer principle; or
  - b. the financial service providers doubt the correctness of information submitted by the Customer.
- (2) Financial service providers as referred to in section (1) are obligated to report to PPATK concerning the termination of business relationship as a Suspicious Financial Transaction.

Part Three  
Reporting

Paragraph 1  
Financial Service Providers

Article 23

- (1) Financial service providers as referred to in Article 17 section (1) point a are obligated to submit a report to PPATK, which includes the following:
  - a. Suspicious Financial Transactions;
  - b. Cash Financial Transactions in the minimum amount of Rp500,000,000.00 (five hundred million Rupiah) or in foreign currency in equivalent value, conducted either in one or several Transactions in 1 (one) workday; and/or
  - c. international fund transfer Transactions.
- (2) Changes in the amount of Cash Financial Transactions as referred to in section (1) point b are stipulated in a Decision of the Head of PPATK.
- (3) The amount of international fund transfer Transactions as referred to in section (1) point c is regulated by a Regulation of the Head of PPATK.
- (4) The obligation for reporting Cash Financial Transactions as referred to in section (1) point b is exempted for the followings:
  - a. Transactions conducted by financial service providers with the government and the central bank;
  - b. Transactions for the payment of salaries or pensions; and
  - c. other Transactions stipulated by the Head of PPATK or upon the request of financial service providers approved by PPATK.
- (5) The reporting obligation as referred to in section (1) point b is not applicable to the exempted Transactions.

Article 24

- (1) Financial service providers are obligated to make and maintain a list of exempted Transactions as referred to in Article 23 section (4).
- (2) Financial service providers failing to make and maintain a list of exempted Transactions as referred to in section (1) are subject to administrative sanctions.

Article 25

- (1) The report on Suspicious Financial Transactions as referred to in Article 23 section (1) point a is submitted as soon as possible not later than 3 (three) workdays after the financial service provider finds out about the occurrence of an element of Suspicious Financial Transaction.
- (2) The report on Cash Financial Transactions as referred to in Article 23 section (1) point b is submitted not later than 14 (fourteen) workdays as from the date on which the Transaction is conducted.

- (3) The report on international fund transfer Transactions as referred to in Article 23 section (1) point c is submitted not later than 14 (fourteen) workdays as from the date on which the Transaction is conducted.
- (4) Financial service providers failing to submit the reports as referred to in section (1), section (2), and section (3) to PPATK, are subject to administrative sanctions.
- (5) Further provisions regarding the form, type, and procedure for submitting reports as referred to in section (1), section (2), and section (3), are regulated by a Regulation of the Head of PPATK.

#### Article 26

- (1) Financial service providers can suspend Transactions for a maximum period of 5 (five) workdays since the Transactions are suspended.
- (2) The suspension of Transactions as referred to in section (1) is conducted in the event that the Customers:
  - a. conduct Transactions which are reasonably suspected using Assets originating from the proceeds of criminal acts as referred to in Article 2 section (1);
  - b. have accounts for receiving Assets originating from the proceeds of criminal acts as referred to in Article 2 section (1); or
  - c. are known and/or are reasonably suspected using false Documents.
- (3) The suspension of Transactions as referred to in section (1) is recorded in the minutes of suspension of Transactions.
- (4) Financial service providers provide a copy of the minutes of suspension of Transactions to the Customers.
- (5) Financial service providers are obligated to report the suspension of Transactions to PPATK by attaching the minutes of suspension of Transactions not later than 24 (twenty-four) hours since the Transaction is suspended.
- (6) After receiving the suspension of Transactions report as referred to in section (5), PPATK is obligated to ensure that the suspension of Transactions is implemented in accordance with this Law.
- (7) In the event that Transaction is suspended by the fifth day, the financial service providers must decide whether to conduct or reject the Transactions.

#### Paragraph 2

#### Other Goods and/or Services Providers

#### Article 27

- (1) Other goods and/or services providers as referred to in Article 17 section (1) point b are obligated to submit reports on Transactions conducted by Customers in Rupiah and/or foreign currencies in the amount of a minimum or equal to Rp500,000,000.00 (five hundred million Rupiah) to PPATK.

- (2) The Transaction reports as referred to in section (1) are submitted not later than 14 (fourteen) workdays since the Transactions are conducted.
- (3) Other goods and/or services providers failing to submit the reports to PPATK as referred to in section (1) and section (2) are subject to administrative sanctions.

### Paragraph 3 Implementation of Reporting Obligation

#### Article 28

The implementation of the reporting obligation by Reporting Parties is exempted from confidentiality provisions applicable to the Reporting Parties.

#### Article 29

Unless there is an element of abuse of authority, Reporting Parties, officials, and their employees cannot be prosecuted, either in a civil or criminal proceeding, for the implementation of reporting obligation under this Law.

#### Article 30

- (1) The administrative sanctions as referred to in Article 25 section (4) and Article 27 section (3) are imposed by the Supervisory and Regulatory Agencies in compliance with the provisions of legislation.
- (2) In the event that Supervisory and Regulatory Agencies as referred to in section (1) have not yet been established, administrative sanctions on Reporting Parties are imposed by PPATK.
- (3) The administrative sanctions imposed by PPATK as referred to in section (2) can be in the forms of:
  - a. notice;
  - b. written warning;
  - c. announcement to the public concerning an action or sanction; and/or
  - d. administrative fine.
- (4) The proceeds received from the administrative fine as referred to in section (3) point d are declared as Non-Tax State Revenues in accordance with the provisions of legislation.
- (5) Further provisions regarding the procedures for the imposition of administrative sanctions as referred to in section (3) are regulated by a Regulation of the Head of PPATK.

### Part Four Compliance Supervision

#### Article 31

- (1) The Compliance Supervision of Reporting Parties on reporting obligation as referred to in Article 17 section (1) is conducted by the Supervisory and Regulatory Agencies and/or PPATK.
- (2) In the event that the Compliance Supervision on reporting obligation as referred to in section (1) is not

conducted by or there is no Supervisory and Regulatory Agencies, the Compliance Supervision on reporting obligation is conducted by PPATK.

- (3) Results on the implementation of Compliance Supervision conducted by the Supervisory and Regulatory Agencies as referred to in section (1) are submitted to PPATK.
- (4) The procedures for the implementation of Compliance Supervision as referred to in section (1) and section (2) are regulated by the Supervisory and Regulatory Agencies and/or PPATK in accordance with their respective authority.

#### Article 32

In the event that the Supervisory and Regulatory Agencies finds Suspicious Financial Transactions which have not been reported by the Reporting Parties to PPATK, the Supervisory and Regulatory Agencies immediately reports such findings to PPATK.

#### Article 33

The Supervisory and Regulatory Agencies are obligated to inform PPATK regarding every activity or Transaction conducted by the Reporting Parties which are known or reasonably suspected being conducted either directly or indirectly for the purpose of committing the criminal act of Money Laundering as referred to in Article 3, Article 4, and Article 5.

### CHAPTER V

#### CARRYING OF CASH AND OTHER PAYMENT INSTRUMENTS INTO OR OUT OF INDONESIAN CUSTOMS AREAS

#### Article 34

- (1) Any person carrying cash in rupiah and/or foreign currencies, and/or other payment instruments in the form of checks, travelers' checks, promissory notes or bilyet giro in the minimum amount of Rp100,000,000.00 (one hundred million rupiah) or in an equivalent amount into or out of Indonesian customs areas is obligated to declare it to the Directorate General of Customs and Excise.
- (2) The Directorate General of Customs and Excise is obligated to create a report on the carrying of cash and/or other payment instruments as referred to in section (1) and submit it to PPATK not later than 5 (five) workdays since the declaration received.
- (3) PPATK can request additional information from the Directorate General of Customs and Excise regarding the carrying of cash and/or other payment instruments as referred to in section (1).

#### Article 35

- (1) Any person who does not declare the carrying of cash and/or payment instruments as referred to in Article 34

section (1) is subject to administrative sanction in the form of fine in the amount of 10% (ten percent) of all amounts of cash and/or other payment instruments carried in a maximum amount of Rp300,000,000.00 (three hundred million rupiah).

- (2) Any person who has declared the carrying of cash and/or other payment instruments as referred to in Article 34 section (1), but the total amount of the cash and/or other payment instruments carried is greater than the amount declared, is subject to administrative sanction in the form of fine in the amount of 10% (ten percent) of the excess amount of cash and/or other payment instruments carried in a maximum amount of Rp300,000,000.00 (three hundred million rupiah).
- (3) Administrative sanctions as referred to in section (1) and section (2) related to the carrying of cash are deducted directly from the amount of cash carried and deposited in the State Treasury by the Directorate General of Customs and Excise
- (4) The Directorate General of Customs and Excise must make a report on the imposition of administrative sanctions as referred to in section (1) and section (2) and is obligated to submit the report to PPATK not later than 5 (five) workdays since the administrative sanctions are stipulated.

#### Article 36

Further provisions regarding the procedures for the carrying of cash and/or other payment instruments, the imposition of administrative sanctions and the depositing in the state treasury as referred to in Article 34 and Article 35 are regulated by a Government Regulation.

### CHAPTER VI FINANCIAL TRANSACTION REPORTS AND ANALYSIS CENTER

#### Part One Position

#### Article 37

- (1) PPATK is independent and free from any intervention and influence in performing its duties and authority.
- (2) PPATK is accountable to the President.
- (3) Any Person is prohibited from conducting all forms of intervention in the performance of the duties and authority of PPATK.
- (4) PPATK is obligated to reject and/or disregard all forms of intervention by any party in the performance of its duties and authority.

#### Article 38

- (1) PPATK is domiciled in the Capital City of the Unitary State of the Republic of Indonesia.

- (2) If required, PPATK representatives can be established in the regions.

Part Two  
Duties, Functions, and Authority

Article 39

PPATK has the duties of preventing and eradicating the criminal act of Money Laundering.

Article 40

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

- a. prevention and eradication of the criminal act of Money Laundering;
- b. management of data and information acquired by PPATK;
- c. supervision of the compliance of Reporting Parties; and
- d. analysis or examination of reports and information on Financial Transactions having indications of criminal act of Money Laundering and/or other criminal acts as referred to in Article 2 section (1).

Article 41

- (1) In implementing its function for the prevention and eradication of the criminal act of Money Laundering as referred to in Article 40 point a, PPATK has authority to:
  - a. request and obtain data and information from government agencies and/or private agencies having the authority to manage data and information, including from government agencies and/or private agencies receiving reports from certain professions;
  - b. stipulate the guidelines on the identification of Suspicious Financial Transactions;
  - c. coordinate efforts for the prevention of criminal act of Money Laundering with related agencies;
  - d. provide recommendations to the government on efforts for the prevention of the criminal act of Money Laundering;
  - e. represent the government of the Republic of Indonesia in international organizations and forums related to the prevention and eradication of criminal act of Money Laundering;
  - f. conduct education and training programs on anti-money laundering; and
  - g. disseminate information on the prevention and eradication of criminal act of Money Laundering.
- (2) The submission of data and information by government agencies and/or private agencies to PPATK as referred in section (1) point a is exempted from confidentiality provisions.
- (3) Further provisions regarding the procedures for the submission of data and information by government agencies and/or private agencies as referred to in section (1) point a are regulated by a Government Regulation.

Article 42

In implementing its function for managing data and information as referred to in Article 40 point b, PPATK is authorized to organize an information system.

Article 43

In implementing its function for supervising the compliance of Reporting Parties as referred to in Article 40 point c, PPATK is authorized to:

- a. stipulate provisions and guidelines on reporting procedure for Reporting Parties;
- b. stipulate the categories of Customers that can potentially commit criminal act of Money Laundering;
- c. conduct compliance audits or specific audits;
- d. submit information resulting from audits to agencies authorized to conduct supervision of the Reporting Parties;
- e. issue a notice to Reporting Parties which violate the reporting obligation;
- f. recommend to the authorized agencies to revoke the business licenses of the Reporting Parties; and
- g. stipulate provisions on the implementation of the know-your-Customer principles for Reporting Parties which do not have a Supervisory and Regulatory Agencies.

Article 44

(1) In implementing its function of analyzing or examining reports and information as referred to in Article 40 point d, PPATK can:

- a. request and receive reports and information from the Reporting Parties;
- b. request information from institutions or related parties;
- c. request information from Reporting Parties based on the development of the PPATK analysis results;
- d. request information from Reporting Parties based on the request of law enforcement agencies or foreign counterparts;
- e. forward information and/or analysis results to requesting agencies, both domestic and foreign;
- f. receive report and/or information from the public on suspected criminal act of Money Laundering;
- g. request statement from Reporting Parties and other parties related to the suspected criminal act of Money Laundering;
- h. provide recommendations to law enforcement agencies regarding the importance of interception or tapping of electronic information and/or electronic documents in compliance with the provisions of legislation;
- i. request financial service providers to postpone the Transactions, in full or partial, known or suspected to be the proceeds from criminal acts;
- j. request information on the development of investigation conducted by investigators



- investigating predicate offences and the criminal act of Money Laundering;
  - k. undertake other administrative activities within the scope of its duties and responsibilities in accordance with the provisions of this Law; and
  - l. forward the analysis or examination result to investigators.
- (2) Financial service providers as referred to in section (1) point i must follow-up immediately after receiving a request from PPATK.

#### Article 45

In implementing its authority as referred to in this Law, the provisions of legislation as well as code of ethics concerning confidentiality is not applicable to PPATK.

#### Article 46

Further provisions regarding the procedures for the implementation of PPATK authority are regulated by a Presidential Regulation.

### Part Three Accountability

#### Article 47

- (1) PPATK periodically makes and submits reports on the implementation of its duties, functions, and authority once in every 6 (six) months.
- (2) The reports as referred to in section (1) are submitted to the President and the House of Representatives.

### Part Four Organizational Structure

#### Article 48

The organizational Structure of PPATK comprises the following:

- a. head;
- b. vice head;
- c. other structural positions; and
- d. functional positions.

#### Article 49

- (1) The Head of PPATK as referred to in Article 48 point a represents PPATK both inside and outside the court.
- (2) The Head of PPATK can delegate the authority to represent as referred to in section (1) to the Vice Head of PPATK, an employee or several employees of PPATK, and/or other parties particularly appointed for such purpose.

#### Article 50

The Head of PPATK is the person in charge who leads and controls the implementation of the duties, functions, and authorities of PPATK.

#### Article 51

In order to be eligible for appointment as the Head or Vice Head of PPATK, a candidate must meet the following requirements:

- a. Indonesian nationals;
- b. not less than 40 (forty) years old and not more than 60 (sixty) years old at the time of appointment;
- c. mentally and physically healthy;
- d. devout, honest, just, and possessing a good personal integrity;
- e. having at least one expertise in the field of economy, accounting, finance, or law and professional experience in the respective fields of not less than 10 (ten) years;
- f. not holding a position as a political party leader;
- g. willing to provide information concerning the list of Assets;
- h. not concurrently holding other positions or occupations; and
- i. having never been imposed with the criminal sanction of imprisonment.

#### Article 52

- (1) The Vice Head of PPATK has the duty to assist the Head of PPATK.
- (2) The Vice Head of PPATK in performing the duty as referred to in section (1) is accountable to the Head of PPATK.
- (3) In the event that the Head of PPATK is unavailable, the Vice Head of PPATK is responsible to lead and control the implementation of the duties, functions, and authority of PPATK.

#### Article 53

The Head and Vice Head of PPATK as referred to in Article 48 point a and point b is appointed and dismissed by the President.

#### Article 54

- (1) Prior to assuming his/her position as the Head and the Vice Head of PPATK, he/she must take an oath or make a pledge according to their religion or belief before the President.
- (2) The oath or pledge as referred to in section (1) is as follows:

"I swear/promise that, in order to become the Head/Vice Head of PPATK, I shall neither directly nor indirectly, under any name or pretext, give or promise to give anything to anyone."

"I swear/promise that, in performing or refraining from performing any actions in this position, I shall not accept, either directly or indirectly, any promise or gift from anyone in any form."

"I swear/promise that I shall keep confidential all matters which, under the prevailing laws and regulations, are required to be kept confidential."

"I swear/promise that I shall carry out the duties and authorities of the Head or Vice Head of PPATK to the best of my ability and with full responsibility."

"I swear/promise that I shall remain loyal to the state, the Constitution, and the prevailing laws and regulations."

#### Article 55

The term of office of the Head and the Vice Head of PPATK is 5 (five) years respectively and they can be reappointed for only 1 (one) subsequent term of office.

#### Article 56

The term of office of the Head or the Vice Head of PPATK is end because of:

- a. demise;
- b. resignation;
- c. expiration of the term of office; or
- d. being dismissed.

#### Article 57

- (1) The Head or the Vice Head of PPATK as referred to in Article 56 point d is dismissed because of:
  - a. residing outside the territory of the Unitary State of the Republic of Indonesia;
  - b. losing citizenship as Indonesian nationals;
  - c. suffering from a continuous illness, recovery from which requires more than 3 (three) months so that they are unable to perform their respective duties;
  - d. sentenced with imprisonment based on a decision of the court which has obtained permanent legal force;
  - e. holding concurrent positions;
  - f. being declared bankrupt by the court; or
  - g. violating the oath or pledge of office.
- (2) In the event that the Head and/or the Vice Head of PPATK becomes a defendant in a criminal act related to the abuse of his/her authority, the Head and/or the Vice Head of PPATK is temporarily dismissed from his/her position.
- (3) In the event that the charges against the Head and/or the Vice Head of PPATK being a defendant are declared as not having been proven based on a court decision which has obtained permanent legal force, the relevant position is reinstated.
- (4) The dismissal as referred to in section (1) and section (2) is stipulated by the President.

#### Article 58

- (1) The Head and the Vice Head of PPATK are entitled to receive income, other entitlements, rewards, and facilities.

- (2) Further provisions regarding income, other entitlements, rewards and facilities to the Head and the Vice Head of PPATK are regulated by a Government Regulation.

#### Article 59

The Head of PPATK can appoint not more than 5 (five) experts to provide considerations concerning certain issues in their respective fields of expertise.

#### Article 60

Further provisions regarding the organizational structure and working procedures of PPATK are regulated by a Presidential Regulation.

### Part Five

#### Human Resources Management

#### Article 61

The Head of PPATK is a personnel development official within the organization of PPATK.

#### Article 62

- (1) The Head of PPATK as the personnel development official organizes human resources management of PPATK, including planning, appointment, transfer, development, dismissal, and remuneration.
- (2) The organization of Human Resources Management of PPATK as referred to in section (1) is formulated and implemented based on the principle of meritocracy.
- (3) Further provisions regarding human resources management of PPATK as referred to in section (2) are regulated by a Government Regulation.

### Part Six

#### Financing

#### Article 63

The costs for the implementation of the duties of PPATK is charged to the State Budget.

## CHAPTER VII

### EXAMINATION AND POSTPONEMENT OF TRANSACTIONS

#### Article 64

- (1) PPATK examines Suspicious Financial Transactions related to the indications of the criminal act of Money Laundering or other criminal acts.
- (2) In the event that indications of the criminal act of Money Laundering or other criminal acts are found, PPATK submits the Examination Results to the investigators for further investigation.
- (3) In conducting investigation as referred to in section (2), the investigators conduct coordination with PPATK.

Article 65

- (1) PPATK may instruct financial service providers to postpone Transactions, in full or partial as referred to in Article 44 section (1) point i.
- (2) In the event that financial service providers fulfil PPATK instruction as referred to in section (1), the implementation of the postponement is recorded in the minutes of the postponement of the Transaction.

Article 66

- (1) The postponement of Transactions as referred to in Article 65 section (1) is conducted not later than 5 (five) workdays after the receipt of the minutes of postponement of Transaction.
- (2) PPATK can extend the postponement of Transaction as referred to in section (1) for a maximum period of 15 (fifteen) workdays to complete the results of analysis or examination which are to be submitted to the investigators.

Article 67

- (1) In the event that there is no person and/or third party filing an objection within 20 (twenty) days as from the date of the postponement of Transactions, PPATK refers the Assets known or reasonably suspected as the proceeds from criminal acts to the investigator for further investigation.
- (2) In the event that the person suspected as the perpetrator of a criminal act cannot be found within a period of 30 (thirty) days, the investigator can file a request to the district court to decide that the relevant Assets are the property of the state or they are returned to the person entitled to them.
- (3) The court as referred to in section (2) must make a decision within a maximum period of 7 (seven) days.

CHAPTER VIII

INVESTIGATION, PROSECUTION, AND EXAMINATION  
BEFORE THE COURT

Part One  
General

Article 68

Investigation, prosecution, and examination before the court as well as the implementation of decisions having obtained permanent legal force on the criminal acts as referred to in this Law is carried out in compliance with the provisions of legislation, unless stipulated otherwise in this Law.

Article 69

In order to conduct investigation, prosecution, and examination of a criminal act of Money Laundering before the court, the predicate crime is not required to be proven first.

Article 70

- (1) An investigator, public prosecutor, or judge has authority to order the Reporting Parties to suspend Transactions on the Assets which are known or reasonably suspected to be the proceeds of a criminal act.
- (2) The order of an investigator, public prosecutor, or judge as referred to in section (1) must be issued in writing, by clearly indicating the following:
  - a. the name and official position of the person requesting the suspension of the Transaction;
  - b. the identity of Any Person whose Transaction is to be suspended;
  - c. the reason of suspension of Transaction; and
  - d. the location of the Assets.
- (3) Suspension of Transactions as referred to in section (1) is carried out for a maximum period of 5 (five) workdays.
- (4) Reporting Parties are obligated to suspend the Transaction upon receiving the order/request for the suspension of Transaction from the investigator, public prosecutor or judge.
- (5) Reporting Parties are obligated to submit the minutes of suspension of Transaction to the investigator, public prosecutor, or judge requesting the suspension of Transaction not later than 1 (one) workday since the Transaction is suspended.

Article 71

- (1) An investigator, public prosecutor, or judge is authorized to order Reporting Parties to freeze the Assets known or reasonably suspected to be the proceeds of a criminal act of:
  - a. any Person reported by PPATK to the investigator;
  - b. a suspect; or
  - c. a defendant.
- (2) The order of an investigator, public prosecutor, or judge as referred to in section (1) must be issued in writing, by clearly indicating the following:
  - a. the name and official position of the investigator, public prosecutor, or judge;
  - b. the identity of Any Person reported by PPATK to the investigator, the suspect or the defendant;
  - c. the reason for such freezing;
  - d. the criminal act suspected or charged; and
  - e. the location of the Assets.
- (3) The freezing as referred to in section (1) is carried out for a maximum period of 30 (thirty) workdays.
- (4) In the event that the period of freezing as referred to in section (3) expires, the Reporting Parties are obligated to terminate the freezing by law.
- (5) The Reporting Parties are obligated to conduct the freezing immediately upon receiving the order for freezing from the investigator, public prosecutor or judge.
- (6) The Reporting Parties are obligated to submit the minutes of freezing to the investigator, public

prosecutor, or judge who issued the order to freeze not later than 1 (one) workday as since the Transaction is frozen.

- (7) The frozen Assets must remain with the Reporting Parties.

#### Article 72

- (1) For the purpose of examination in the cases of the criminal act of Money Laundering, the investigator, public prosecutor, or judge is authorized to request Reporting Parties to provide written statements concerning the Assets of:
  - a. any person reported by PPATK to the investigators;
  - b. a suspect; or
  - c. a defendant.
- (2) In requesting the statements as referred to in section (1), the provisions of legislation concerning bank confidentiality and the confidentiality of other Financial Transactions are not applicable to the investigator, public prosecutor or judge.
- (3) The request for statements as referred to in section (1) is made by clearly indicating the following:
  - a. the name and official position of the investigator, public prosecutor, or judge;
  - b. the identities of the parties indicated based on the results of analysis or examination of PPATK, the suspect, or defendant;
  - c. a brief description of the criminal act being suspected or charged; and
  - d. the location of Assets.
- (4) The request as referred to in section (3) must be completed with the following:
  - a. police report and the order for investigation;
  - b. appointment letter as a public prosecutor; or
  - c. stipulation letter of a panel of judges.
- (5) The request for the statements as referred to in section (1) and section (3) must be signed by the following:
  - a. The Chief of the Indonesian National Police or the chief of the regional police if the request is filed by the investigators from the Indonesian National Police;
  - b. The head of agencies or body or commission if the request is filed by investigators other than investigators from the Indonesian National Police;
  - c. The Attorney General or the head of the high prosecutor's office if the request is filed by the investigating prosecutor and/or public prosecutor; or
  - d. the presiding judge of the panel of judges examining the case.
- (6) A copy of the letter of request as referred to in section (5) is sent to PPATK.

#### Article 73

Admissible evidence in the substantiation of the criminal act of Money Laundering is as follows:

- a. evidence as referred in the Criminal Procedure Law; and/or
- b. other evidence in the form of information uttered, sent, received, or saved in electronic form using optical devices or the like and Documents.

## Part Two Investigation

### Article 74

Investigation of the criminal act of Money Laundering is carried out by predicate offence investigators pursuant to the provisions of procedural law and the provisions of legislation unless stipulated otherwise under this Law.

### Article 75

In the event that the investigator obtains sufficient preliminary evidence of the criminal act of Money Laundering and predicate offence, the investigator combines the investigation of the predicate offence with the investigation of criminal act of Money Laundering and inform PPATK accordingly.

## Part Three Prosecution

### Article 76

- (1) The public prosecutors are obligated to submit the case dossiers of the criminal act of Money Laundering to the district court not later than 30 (thirty) workdays as from the date on which the complete case dossier is received.
- (2) In the event that the public prosecutors have submitted the case dossiers to the district court as referred to in section (1), the head of the district court is obligated form a panel of judges for the case not later than 3 (three) workdays as from the date on which the case dossiers are received.

## Part Four Examination before the Court

### Article 77

For the purpose of examination before the court, the defendants are obligated to prove that his/her Assets are not the proceeds from a criminal act.

### Article 78

- (1) In the examination before the court as referred to in Article 77, the judge orders the defendants to prove that the Assets related to the case do not originate from or not related to the criminal acts as referred to in Article 2 section (1).
- (2) The defendants prove that the Assets related to the case do not originate from or not related to the criminal acts as referred to in Article 2 section (1) by presenting sufficient evidence.



Article 79

- (1) In the event that the defendants have been officially and properly summoned but fails to appear in the court hearing without any valid reason, the case can be examined and decided upon in the absence of the defendant.
- (2) In the event that the defendant attends the subsequent hearing prior to the issuance of decision, the defendant must be examined and all statements made by witnesses and letters read out in the previous hearings are deemed as being pronounced in the present hearing.
- (3) Decisions made in the absence of the defendant are announced by the public prosecutor on the announcement board of the court, the regional government office, or are notified to the attorney.
- (4) In the event that the defendant passes away prior to the issuance of a decision and there is relatively solid evidence that the person has committed the criminal act of Money Laundering, the judge, at the request of the public prosecutor, decides upon the confiscation of the seized Assets.
- (5) No legal action can be taken against the stipulation of confiscation as referred to in section (4).
- (6) Any Person concerned may file objection to the court issuing the stipulation as referred to in section (5) within 30 (thirty) days as from the date of the announcement as referred to in section (3).

Article 80

- (1) In the event that the judge passes a decision as referred to in Article 79 section (3), the defendant can file an appeal.
- (2) The appeal as referred to in section (1) must be filed directly by the defendant not later than 7 (seven) days after the pronouncement of the decision.

Article 81

In the event that obtained sufficient evidence indicating that there are still Assets which have not been seized, the judge orders the public prosecutor to seize such Assets.

Article 82

In the event that the criminal act is committed by a Corporation, the summons are delivered to the management thereof at their residence or the office of the management.

CHAPTER IX

PROTECTION FOR REPORTING PARTIES AND WITNESSES

Article 83

- (1) The officials and employees of PPATK, investigators, public prosecutors, or judges are obligated to keep the identity of the Reporting Parties and any party who submit a report confidential.

- (2) Violation of the provision as referred to in section (1) gives the right to the relevant parties who submit a report or their heirs to claim for compensation through the court.

#### Article 84

- (1) Any Person reporting the criminal act of Money Laundering are obligated to be given special protection by the state against any possible threat that may endanger themselves, life, and/or assets, including their family members.
- (2) The provisions regarding the procedures for special protection as referred to in section (1) are regulated in the provisions of legislation.

#### Article 85

- (1) During court examination, witnesses, public prosecutors, judges, and other persons related to the criminal act of Money Laundering being examined are prohibited from mentioning the names or addresses of the party who submit a report or other matters which may reveal the parties' identities.
- (2) Before the commencement of each hearing, the judge is obligated to remind witnesses, public prosecutors, and other persons related to the examination of the case about the prohibition as referred to in section (1).

#### Article 86

- (1) Any Person giving his/her testimony in a court examination of a criminal act of Money Laundering must be given special protection by the state against any possible threat that may endanger themselves, life, and/or assets.
- (2) The provisions regarding the procedures for the special protection as referred to in section (1) are regulated in the provisions of legislation.

#### Article 87

- (1) Party who submit a report and/or witnesses are not be subject to prosecution or lawsuit, either in a criminal or civil proceeding, with regard to their report and/or testimony.
- (2) Witnesses committing perjury are penalized in accordance with the provisions of the Criminal Code.

### CHAPTER X COOPERATION IN THE PREVENTION AND ERADICATION OF THE CRIMINAL ACT OF MONEY LAUNDERING

#### Article 88

- (1) National cooperation between PPATK and relevant parties is established with or without a formal cooperation agreement.
- (2) The relevant parties as referred to in section (1) are the parties directly or indirectly related to the prevention

and eradication of the criminal act of Money Laundering in Indonesia.

Article 89

- (1) International cooperation is established by PPATK with similar agencies existing in other countries and international agencies related to the prevention and eradication of the criminal act of Money Laundering.
- (2) International cooperation conducted by PPATK may be set out in a formal agreement or based on mutual legal assistance or the reciprocity principle.

Article 90

- (1) In preventing and eradicating the criminal act of Money Laundering, PPATK can engage in cooperation for the exchange of information in the form of requesting, providing, and receiving information, with the following parties, either at the national or international level:
  - a. law enforcement agencies;
  - b. agencies having the authority to supervise financial service providers;
  - c. agencies having the task of auditing state financial management and accountability;
  - d. other agencies related to the prevention and eradication of the criminal act of Money Laundering or other criminal acts related to Money Laundering; and
  - e. financial intelligence unit of other countries.
- (2) Information can be requested, provided, and received in the context of exchange of information as referred to in section (1) can be conducted upon its own initiative or request of a party which can request information from PPATK.
- (3) The request for information as referred to in section (1) is submitted in writing to PPATK and it is signed by the following:
  - a. the presiding judge of the panel of judges;
  - b. the Chief of the Indonesian National Police or the chief of the regional police;
  - c. the Attorney General or the head of the high prosecutor's office;
  - d. the heads of agencies or commissions in the event that the request is filed by investigators other than the investigators of the Indonesian National Police;
  - e. the heads, directors or equivalent officials, or the heads of work units or offices at agencies authorized to supervise financial service providers;
  - f. the heads of agencies which have the task of examining the management and the accountability of state finances;
  - g. the heads of other agencies related to the prevention and eradication of the criminal act of Money Laundering or other criminal acts related to Money Laundering; or

- h. the heads of other countries' financial intelligence units.

#### Article 91

- (1) In preventing and eradicating the criminal act of Money Laundering, mutual legal assistance in criminal matters can be undertaken with other countries through bilateral or multilateral forums in compliance with the provisions of legislation.
- (2) Mutual legal assistance in criminal matters as referred to in section (1) can be implemented in the event that the relevant countries have entered into agreements on mutual legal assistance cooperation on in criminal matters with the Unitary State of the Republic of Indonesia or based on the reciprocity principle.

#### Article 92

- (1) To enhance coordination among the relevant agencies in the prevention and eradication of the criminal act of Money Laundering, a National Coordinating Committee for the Prevention and Eradication of the Criminal Act of Money Laundering is established.
- (2) The establishment of the National Coordinating Committee for the Prevention and Eradication of the Criminal Act of Money Laundering is regulated by a Presidential Regulation.

### CHAPTER XI MISCELLANEOUS PROVISIONS

#### Article 93

In the event of any development in international conventions or international recommendations on the prevention and eradication of the criminal act of Money Laundering and terrorism financing, PPATK and related institution can implement such provisions in accordance with the provisions of legislation.

### CHAPTER XII TRANSITIONAL PROVISIONS

#### Article 94

At the time when this Law comes into force:

- a. PPATK which was established under Law Number 15 of 2002 on Criminal Act of Money Laundering as amended by Law Number 25 of 2003 on amendment of Law Number 15 of 2002 on Criminal Act of Money Laundering is stipulated as PPATK under this Law.
- b. PPATK which was established under Law Number 15 of 2002 on Criminal Act of Money Laundering as amended by Law Number 25 of 2003 on amendment of Law Number 15 of 2002 on Criminal Act of Money Laundering is continue to carry out the functions, duties and authority of PPATK under this Law.
- c. The organizational structure of PPATK established under Law Number 15 of 2002 on Criminal Act of Money

Laundrying as amended by Law Number 25 of 2003 on amendment of Law Number 15 of 2002 on the Criminal Act of Money Laundrying is remain applicable until the establishment of the new organizational structure of PPATK under this Law.

- d. The Head and the Vice Head of PPATK appointed under Law Number 15 of 2002 on Criminal Act of Money Laundrying as amended by Law Number 25 of 2003 on Amendment to Law Number 15 of 2002 on Criminal Act of Money Laundrying is continue to carry out their functions, duties and authorities until the appointment of the new Head and Vice Head of PPATK not later than 1 (one) year as from the time at which this Law becomes effective.
- e. The National Coordinating Committee for the Prevention and Eradication of the Criminal Act of Money Laundrying established under Presidential Decree Number 1 of 2004 is continue to carry out its functions, duties, and authority until the formation of the National Coordinating Committee for the Prevention and Eradication of the Criminal Act of Money Laundrying under this Law.

#### Article 95

The Criminal Act of Money Laundrying committed before the time at which this Law comes into effect, is examined and adjudicated under Law Number 15 of 2002 on Criminal Act of Money Laundrying as amended by Law Number 25 of 2003 on Amendment to Law Number 15 of 2002 on Criminal Act of Money Laundrying.

### CHAPTER XIII CLOSING PROVISIONS

#### Article 96

Implementation of reporting obligation by other goods and/or service providers as referred to in Article 27 section (1) is implemented not later than 2 (two) years following the promulgation of this Law.

#### Article 97

The reporting of international fund transfer Transactions as referred to in Article 23 section (1) point c is implemented not later than 5 (five) years following the promulgation of this Law.

#### Article 98

All implementing regulations of Law Number 15 of 2002 on Criminal Act of Money Laundrying as amended by Law Number 25 of 2003 on Amendment to Law Number 15 of 2002 on Criminal Act of Money Laundrying are declared to remain applicable insofar as they are not contradictory to or replaced under this Law.

Article 99

At the time this Law comes into force, Law Number 15 of 2002 on Criminal Act of Money Laundering (State Gazette of the Republic of Indonesia of 2002 Number 30, Supplement to the State Gazette of the Republic of Indonesia Number 4191) as amended by Law Number 25 of 2003 on Amendment to Law Number 15 of 2002 on Criminal Act of Money Laundering (State Gazette of the Republic of Indonesia of 2003 Number 108, Supplement to the State Gazette of the Republic of Indonesia Number 4324) is repealed and declared ineffective.

Article 100

This Law come into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Law by its placement in the State Gazette of the Republic of Indonesia

Enacted in Jakarta  
On 22 October 2010

PRESIDENT OF THE REPUBLIC OF  
INDONESIA,

signed

DR.H. SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta  
on 22 October 2010

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

signed

PATRIALIS AKBAR

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2010 NUMBER 122

Jakarta, 30 September 2025  
Has been translated as an Official Translation  
on behalf of Minister of Law  
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,



DIHAHANA PUTRA

ELUCIDATION  
OF  
LAW OF THE REPUBLIC OF INDONESIA  
NUMBER 8 OF 2010  
ON  
PREVENTION AND ERADICATION OF CRIMINAL ACT OF MONEY  
LAUNDERING

I. GENERAL

Generally, perpetrators of criminal acts apply various methods in an attempt to hide or conceal the origins of the Assets which constitute proceeds from criminal acts making it difficult for law enforcement officials to trace the origins of the Assets resulting from such criminal acts, so that they can freely use the aforementioned Assets both for legal as well as for illegal activities. Therefore, the criminal act of Money Laundering poses a threat not only to the stability and integrity of the economic system and financial system, but can also potentially jeopardize the principles of the life as a community, nation and state under Pancasila and the 1945 Constitution of the Republic of Indonesia.

According to the concept of anti-money laundering, the perpetrators and the proceeds from criminal acts can be identified by tracing activities, and the aforementioned proceeds from criminal acts can be subsequently forfeited for the state or returned to the entitled parties. If the Assets constituting proceeds from criminal acts in the possession of the perpetrators or criminal organizations can be seized or forfeited, this can automatically lead to the reduction of criminality rate. Therefore, the efforts for the prevention and eradication of the criminal act of Money Laundering require a strong legal basis in order to ensure legal certainty, effectiveness of law enforcement as well as the tracing and returning of Assets constituting the proceeds from criminal acts.

Generally, the tracing of Assets originating from criminal acts is carried out by financial institutions through the mechanisms regulated in the provisions of legislation. Financial institutions play an important role, particularly in applying the know-your-Customer principle and in reporting certain Transactions to the authority (financial intelligence unit) as materials for analysis and to be further submitted to investigators.



Financial institutions play a role not only in assisting law enforcement, but they are also protecting themselves against various risks, namely operational risks, legal risks, Transaction concentration risks, and reputational risks, as they are no longer used as instruments and targets by perpetrators of criminal acts committed for laundering money which originates from criminal acts. With proper risk management, financial institutions will be able to carry out their functions optimally, so that in turn the financial system will be more stable and trustworthy.

In the course of its development, the criminal act of Money Laundering is becoming increasingly complex, crossing jurisdictional boundaries and applying increasingly varied modus, using institutions outside the financial system, and in fact, it has been spreading to every sector. In order to anticipate such matters, the Financial Action Task Force (FATF) on Money Laundering has issued international standards serving as benchmark for every state in the prevention and eradication of the criminal act of Money Laundering and Terrorist Financing known as the Revised 40 Recommendations and 9 Special Recommendations (Revised 40+9) of the FATF, which include, among other things, the extension of the scope of Reporting Parties to include diamond and jewelry/gold traders, as well as motor vehicle traders. In preventing and eradicating the criminal act of Money Laundering, it is necessary to establish regional and international cooperation through either bilateral or multilateral forums in order to minimize the intensity of criminal acts resulting in or involving Assets in great amounts.

The handling of the criminal act of Money Laundering in Indonesia which started since the enactment of Law Number 15 of 2002 on Criminal Act of Money Laundering as amended by Law Number 25 of 2003 on Amendment of Law Number 15 of 2002 on Criminal Act of Money Laundering, has indicated a positive direction. It is reflected in an increased level of awareness among the parties implementing the Law concerning the Criminal Act of Money Laundering, such as financial service providers in implementing reporting obligation, Supervisory and Regulatory Agency in formulating regulation, Financial Transaction Reports and Analysis Center (PPATK) in analysis activities, and law enforcement in following-up on the results of the analysis up to the imposition of criminal and/or administrative sanctions.

Such efforts have been deemed not yet fully optimal because, among other things, it turned out that the existing laws and regulations still provide some space for different interpretations, loopholes, inappropriately applied sanctions, reluctance to make use of the shift of the burden of proof, limited access to information, narrow scope of parties who submit a report and the types of reports, as well as the lack of clearly specified duties and authorities of the parties implementing this Law.

In order to fulfil the national interest and to adjust to international standards, it is necessary to formulate a Law on the Prevention and Eradication of the Criminal Act of Money Laundering to replace Law Number 15 of 2002 on Criminal Act of Money Laundering as amended by Law Number 25 of 2003 on Amendment of Law Number 15 of 2002 on Criminal Act of Money Laundering. The substance of this Law includes the following, among other things:

1. redefinition of matters related to the criminal act of Money Laundering;
2. improvement of the criminalization of the criminal act of Money Laundering;

3. setting forth provisions on the imposition of criminal and administrative sanctions;
4. formalization of the application of the know-your Customer principle;
5. extension of Reporting Parties;
6. stipulation of provisions on the types of reporting conducted by other goods and/or service providers;
7. arrangement of Compliance Supervision;
8. granting authority to Reporting Parties to suspend Transactions;
9. extension of the authority of the Directorate General of Customs and Excise concerning the carrying of cash and other payment instruments into or out of Indonesian customs areas;
10. granting authority to predicate offence investigators to investigate suspected criminal act of Money Laundering;
11. extension of institutions entitled to receive PPATK analysis or examinations result;
12. rearrangement of the organizational structure of PPATK;
13. additional authority of PPATK, including the authority to conduct the suspension of Transactions;
14. rearrangement of the criminal procedure law for the criminal act of Money Laundering; and
15. setting forth provisions on the seizure of Assets originating from criminal acts.

## II. ARTICLE BY ARTICLE

### Article 1

Sufficiently clear.

### Article 2

#### Section (1)

##### Point a

Sufficiently clear.

##### Point b

The term “bribery” means the bribery as referred to in the law on criminal act of bribery.

##### Point c

Sufficiently clear.

##### Point d

Sufficiently clear.

Point e

The term “smuggling of workers” means the smuggling of workers as referred to in the law concerning the placement and protection of Indonesian migrant workers abroad.

Point f

The term “smuggling of migrants” means the smuggling of migrants as referred to in the immigration law.

Point g

Sufficiently clear.

Point h

Sufficiently clear.

Point i

Sufficiently clear.

Point j

Sufficiently clear.

Point k

Sufficiently clear.

Point l

The term “human trafficking” means Code and the law concerning the eradication of the criminal act of human trafficking.

Point m

The term “illegal trading of arms” means illegal trade of arms as referred to in Emergency Law Number 12 of 1951 on the Amendment to “*Ordonnantietijdelijke Bijzondere Strafbepalingen*” (*Staatsblad* 1948: 17) and Law of the Republic of Indonesia Number 8 of 1948 on Registration and Licensing for the Use of Firearms.

Point n

Sufficiently clear.

Point o

The term “kidnapping” means kidnapping as referred to in the Criminal Code.

Point p

Sufficiently clear.

Point q

Sufficiently clear.

Point r

Sufficiently clear.

Point s

Sufficiently clear.

Point t

Sufficiently clear.

Point u

The term “prostitution” means prostitution as referred to in the Criminal Code and the law regarding the eradication of the criminal act of human trafficking.

Point v

Sufficiently clear.

Point w

Sufficiently clear.

Point x

Sufficiently clear.

Point y

Sufficiently clear.

Point z

Sufficiently clear.

Based on this provision, in the determination of proceeds of crime this Law adopts the principle of double criminality.

Section (2)

Sufficiently clear.

Article 3

Sufficiently clear.

Article 4

Sufficiently clear.

Article 5

Section (1)

The term “reasonably suspected” means a condition which meets at least the requirements of knowledge, willingness, or purpose at the time of the Transaction which is known by it as indicating the existence of a violation of the law.

Section (2)

Sufficiently clear.

Article 6

Section (1)

Corporation also includes organized groups, namely structured groups consisting of 3 (three) or more persons, existing for a certain period, and acting for the purpose of carrying out one

or more criminal acts regulated under this Law for the purpose of obtaining either financial or non-financial profits, either directly or indirectly.

Section (2)

Sufficiently clear.

Article 7

Sufficiently clear.

Article 8

Sufficiently clear.

Article 9

Sufficiently clear.

Article 10

Sufficiently clear.

Article 11

Section (1)

This provision includes provisions regarding official secrecy.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 12

Section (1)

This provision is known as “anti-tipping off”. The purpose of the provision in this section is to ensure that Customers will not transfer their Assets making it difficult for law enforcement officials to trace the relevant Customers and Assets.

Section (2)

Sufficiently clear.

Section (3)

The provision on “anti-tipping off” is also applicable to officials or employees of PPATK as well as officials of the Supervisory and Regulatory Agencies to prevent Customers suspected as the perpetrators of a crime from escaping and the relevant Assets from being transferred which would complicate the process of criminal investigation.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 13

Sufficiently clear.

Article 14

Sufficiently clear.

Article 15

Sufficiently clear.

Article 16

Sufficiently clear.

Article 17

Section (1)

Point a

The definition of “financial service provider” include Any Person providing services in the field of finance or other services related to finances either formally or non-formally.

Point b

The definition of “other goods and/or service providers” includes both licensed as well as non-licensed.

Section (2)

Sufficiently clear.

Article 18

Section (1)

Sufficiently clear.

Section (2)

The term “applying the know-your-Customer principle” means applying Customer Due Diligence (CDD) and Enhanced Due Diligence (EDD) as referred to in Recommendation 5 of the Financial Action Task Force (FATF) on Money Laundering.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Point a

The term “Customer identification” includes the updating of Customer data.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Section (6)

Sufficiently clear.

Article 19

Sufficiently clear.

Article 20

Sufficiently clear.

Article 21

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

The term “the provisions of legislation” include, among other things, regulations issued by the Supervisory and Regulatory Agencies, such as Bank Indonesia Regulation, *Peraturan Bank Indonesia* (PBI) and the Regulation of the Minister of Finance, *Peraturan Menteri Keuangan* (PMK).

Article 22

Section (1)

The term “business relationship” includes current account relationship.

Section (2)

Sufficiently clear.

Article 23

Section (1)

Point a

In principle, Suspicious Financial Transactions begin with the following Transactions, among other things:

- 1) having no clear economic or business purpose;
- 2) using cash in relatively large amounts and/or being made repeatedly beyond reasonableness; or
- 3) uncommon and unreasonable Transaction activities of a customer.

If the above-mentioned unusual Transactions meet the criteria as intended in Article 1 point 5, such Transactions can be classified as Suspicious Financial Transactions that must be reported. Whereas, with regard to the above mentioned uncommon and unreasonable Transactions or

activities, financial service providers are requested to pay special attention to all complex, uncommon Transactions involving large amounts of money, and all unusual Transaction patterns having no clear economic reason and no legal purpose. The background and purpose of such Transactions must be examined as thoroughly as possible, the findings obtained shall be put into writing, and made available to assist the relevant authorities and auditors.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Point a

The term Transaction with the government means Transaction that uses the government's account, and conducted for and on behalf of the government, among other things, the central government, the local government, ministries, non-ministerial government agencies or other government agencies, not including, Transactions conducted by state-owned enterprises/regional government-owned enterprises.

Point b

Sufficiently clear.

Point c

The term "other Transactions" means Transactions exempted in accordance with its characteristics which are always carried out in cash and in large amounts of cash, for instance routine deposits by toll road or supermarket operators.

Beside based on the types of transactions, the Head of PPATK can stipulate other exempted transactions based on the amount of transaction, the type or operational area of Reporting Parties. Such exemptions can be applied permanently or for a definite period.

Section (5)

Sufficiently clear.



## Article 24

### Section (1)

This provision is intended to ensure that data or information concerning exempted Transactions can be inspected or examined by PPATK for the purpose of analysis.

Detailed list of Transactions that is made and maintained shall be the same as cash Transactions that must be reported to PPATK. The list can be made in electronic format insofar as it can be guaranteed that the data or information cannot be easily lost or destroyed.

### Section (2)

Sufficiently clear.

## Article 25

### Section (1)

This provision is intended to ensure that financial service providers can promptly submit Suspicious Financial Transaction reports, hence Assets suspected to be the proceeds from a criminal act and the perpetrators of Money Laundering can be immediately traced. The element of Suspicious Money Transaction as referred to in Article 1 point 5 point a, point b, point c and point d.

### Section (2)

Sufficiently clear.

### Section (3)

Sufficiently clear.

### Section (4)

Sufficiently clear.

### Section (5)

Sufficiently clear.

## Article 26

### Section (1)

Sufficiently clear.

### Section (2)

Sufficiently clear.

### Section (3)

Sufficiently clear.

### Section (4)

Sufficiently clear.

### Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)

This means that not later than the fifth workday following the suspension of the Transactions, financial service providers must decide either to conduct or to reject the Transaction.

Article 27

Sufficiently clear.

Article 28

Sufficiently clear.

Article 29

The term “being subject to a civil proceeding” includes, among other things, claim for damage or compensation.

The term “being subject to a criminal proceeding” includes, among other things, claim for defamation.

Article 30

Sufficiently clear.

Article 31

Section (1)

Therefore, Reporting Parties who already have a Supervisory and Regulatory Agency have 2 (two) ways of access to Compliance Supervision, namely by the Supervisory and Regulatory Agency and/or PPATK.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 32

Sufficiently clear.

Article 33

Sufficiently clear.

Article 34

Section (1)

Checks, traveller’s checks, promissory notes, or bilyet giro that are known as Bearer Negotiable Instruments.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 35

Sufficiently clear.

Article 36

Sufficiently clear.

Article 37

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

The term “to conduct all forms of intervention” means deeds or actions by any party resulting in the reduction of PPATK’s independence in carrying out its duties, functions, and authority.

Section (4)

Sufficiently clear.

Article 38

Sufficiently clear.

Article 39

Sufficiently clear.

Article 40

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Compliance Supervision is carried out by PPATK on Reporting Parties which do not have a Supervisory and Regulatory Agency or on Reporting Parties whose supervision has been delegated by the Supervisory and Regulatory Agency to PPATK.

Point d

Sufficiently clear.

## Article 41

### Section (1)

#### Point a

The term “government agencies”, among other things, the Directorate General of Taxes and Accountant Supervision Center and Appraiser Services of the Ministry of Finance, Directorate General of Legal Administrative Affairs of the Ministry of Law and Human Rights, the National Land Agency, *Badan Pertanahan Nasional* (BPN).

The term “private agencies” means, among other things the association of advocates, the association of notaries, and the association of accountants.

The term “certain professions” mean, among other things, advocates, financial consultants, notaries, land deed officials, and independent accountants.

#### Point b

Sufficiently clear.

#### Point c

Sufficiently clear.

#### Point d

Sufficiently clear.

#### Point e

Sufficiently clear.

#### Point f

Sufficiently clear.

#### Point g

Sufficiently clear.

### Section (2)

Submission of data and information by government agencies and/or private agencies do not require permission from anyone.

### Section (3)

Sufficiently clear.

## Article 42

The term “to organize information system” includes the following, among other things:

- a. building, developing, and maintaining an application system;
- b. building, developing, and maintaining the infrastructure of computer network and database;

- c. collecting, evaluating data and information received by PPATK manually and electronically;
- d. storing, maintaining data and information into database;
- e. presenting information for the purpose of analysis;
- f. facilitating exchange of information with relevant agencies both domestic as well as foreign agencies; and
- g. conducting dissemination regarding the use of application system among Reporting Parties.

#### Article 43

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Specific audit can be conducted on:

1. financial service providers whose compliance supervision on reporting obligations is carried out by the Supervisory and Regulatory Agency and/or PPATK;
2. financial service providers based on the request of the authorized agency or institution requesting information from PPATK in accordance with the provisions of legislation.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

#### Article 44

Section (1)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Request for information from foreign law enforcement agencies or counterparts as referred to in this provision will be fulfilled insofar as it does not disrupt national interest by taking into account the provisions of legislation in the field of foreign affairs and international treaties.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Requesting statements from Reporting Parties and other parties related to the suspected criminal act of Money Laundering may be in the form of conducting specific audit carried out by PPATK independently or jointly with the Supervisory and Regulatory Agency.

Point h

Sufficiently clear.

Point i

PPATK's request to financial service providers to postpone the Transactions, in full or partial, known or suspected to be the proceeds from criminal acts, is made for the purpose of examination.

Point j

Sufficiently clear.

Point k

Sufficiently clear.

Point l

Sufficiently clear.

Section (2)

Sufficiently clear.

Article 45

The term "confidentiality" includes bank confidentiality, non-bank confidentiality, and the like.

Article 46

Sufficiently clear.

Article 47

Section (1)

Sufficiently clear.

Section (2)

In the context of implementing its supervisory function, the House of Representatives may at any time request PPATK's report.

Article 48

Sufficiently clear.

Article 49

Sufficiently clear.

Article 50

Sufficiently clear.

Article 51

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Point h

In this provision, the term "other occupations" mean occupations which can potentially affect the implementation of the duties and cause conflict of interest.

Point i

Sufficiently clear.

Article 52

Sufficiently clear.

Article 53

Sufficiently clear.

Article 54

Sufficiently clear.

Article 55

Sufficiently clear.

Article 56

Sufficiently clear.

Article 57

Sufficiently clear.

Article 58

Sufficiently clear.

Article 59

Sufficiently clear.

Article 60

Sufficiently clear.

Article 61

Sufficiently clear.

Article 62

Sufficiently clear.

Article 63

Sufficiently clear.

Article 64

Section (1)

Sufficiently clear.

Section (2)

The Examination Result report of PPATK is submitted to the Indonesian National Police and the Public Prosecutor Office of the Republic of Indonesia and with a copy to other investigators according to their respective authorities under this Law.

Section (3)

Under this provision, coordination is also be conducted among predicate offence investigators obtaining PPATK's Examination Results.

Article 65

Section (1)

The term "postponement of the Transactions, in full or partial" means not conducting Transactions which are known or suspected to be the proceeds from a criminal act.

Section (2)

Sufficiently clear.



Article 66

Sufficiently clear.

Article 67

Sufficiently clear.

Article 68

Sufficiently clear.

Article 69

Sufficiently clear.

Article 70

Sufficiently clear.

Article 71

Section (1)

The order of investigator, public prosecutor, or judge in accordance with the relevant examination stages, namely under the authority of the investigator in the stage of investigation, under the authority of the public prosecutor in the stage of prosecution, and under the authority of the judge in the stage of examination in the court.

Section (2)

The request for freezing sent to financial service providers must be signed by the following:

- a. investigation coordinator/head of the investigation team at the level of investigation;
- b. the head of the district prosecutor's office at the level of prosecution;
- c. the presiding judge of the panel of judges at the level of examination in the court.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)

Sufficiently clear.

Article 72

Section (1)

Sufficiently clear.

Section (2)

The term “provisions of legislation” also includes the provisions regarding confidentiality applicable to the Reporting Parties.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

In the event that the Chief of the Indonesian National Police or the chief of the regional police, or the head of institution or agency or commission, or the Attorney General or the head of the high prosecutor's office is unavailable, an appointed official may sign.

Section (6)

Sufficiently clear.

Article 73

Sufficiently clear.

Article 74

The term “predicate offence investigators” mean officials from agencies authorized by law to conduct investigation, among others, the Indonesian National Police, the Public Prosecutor’s Office, the Corruption Eradication Commission (KPK), the National Anti-Narcotics Agency (BNN), as well as the Directorate General of Taxes and the Directorate General of Customs and Excise of the Ministry of Finance of the Republic of Indonesia.

Predicate offence investigators can investigate a criminal act of Money Laundering if they find adequate initial evidence of the criminal act of Money Laundering at the time of conducting the predicate offence investigation based on their respective authority.

Article 75

Sufficiently clear.

Article 76

Sufficiently clear.

Article 77

Sufficiently clear.

Article 78

Sufficiently clear.

Article 79

Section (1)

This provision is intended to ensure that the measures for the prevention and eradication of the criminal act of Money Laundering, especially in the trial process can be conducted uninterruptedly, thus in the event that the defendant is summoned duly and properly and he/she does not appear in the court examination without a legitimate reason, the case remains to be examined without the presence of the defendant.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

This provision is intended to prevent the defendant's heirs from controlling or possessing the Assets originating from the criminal act. In addition to that, it is an effort to recover state assets in the event that the criminal act has inflicted a loss on State finances.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Article 80

Section (1)

Sufficiently clear.

Section (2)

The term "must be filed directly by the defendant" is intended to mean that the defendant must be present and sign the statement of appeal deed himself/herself at the district court adjudicating the case.

Article 81

Sufficiently clear.

Article 82

Sufficiently clear.

Article 83

Section (1)

The term "any party who submit a report" means any person acting in good faith and voluntarily submitting report on the allegation of a criminal act of Money Laundering.

Section (2)

Sufficiently clear.

Article 84

Sufficiently clear.

Article 85

Sufficiently clear.

Article 86

Sufficiently clear.

Article 87

Sufficiently clear.

Article 88

Section (1)

The term “formal cooperation” includes memorandum of understanding.

Section (2)

Sufficiently clear.

Article 89

Sufficiently clear.

Article 90

Sufficiently clear.

Article 91

Section (1)

The term “legislation” means the laws governing mutual legal assistance in criminal matters and laws governing international treaties.

Section (2)

Sufficiently clear.

Article 92

Sufficiently clear.

Article 93

This provision is intended to enable PPATK and related agencies to stipulate provisions in accordance with the developments in international conventions or international recommendations on the prevention and eradication of the criminal act of Money Laundering, among other things, issuing provisions or guidelines concerning the implementation of anti-money laundering programs for financial service providers.

Article 94

Sufficiently clear.

Article 95

Sufficiently clear.

Article 96

Sufficiently clear.

Article 97

Sufficiently clear.

Article 98

Sufficiently clear.

Article 99

Sufficiently clear.

Article 100

Sufficiently clear.

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