

**MINISTRY OF FINANCE OF THE REPUBLIC OF INDONESIA  
THE CAPITAL MARKET AND FINANCIAL INSTITUTIONS SUPERVISORY AGENCY**

**DUPLICATE OF**

**DECISION OF THE CHAIRPERSON  
OF THE CAPITAL MARKET AND FINANCIAL INSTITUTIONS SUPERVISORY  
AGENCY**

**NUMBER: KEP – 424/BL/2007**

**CONCERNING**

**GUIDELINES CONCERNING THE FORM AND CONTENT OF PROSPECTUS FOR  
A PUBLIC OFFERING BY REAL ESTATE INVESTMENT TRUST  
IN THE FORM OF COLLECTIVE INVESTMENT CONTRACT**

**CHAIRMAN OF THE CAPITAL MARKET  
AND FINANCIAL INSTITUTIONS SUPERVISORY AGENCY,**

- Considering : a. That in Public Offering, it is necessary to implement Disclosure Principle for investors so that investors have a complete, adequate, and objective information before making an investment decision;
- b. That with regard to the matter referred to poin a and in order to provide guidance on Disclosure Principle in Participation Unit Public Offering by Real Estate Investment Trust in the Form of Collective Investment Contract, it is necessary to promulgate a Decision of the Chairperson of Capital Market and Financial Institutions Supervisory Agency concerning Guidelines Concerning the Form and Content of Prospectus for a Public Offering by Real Estate Investment Trust in the Form of Collective Investment Contract;
- In view of : 1. Law Number 8 year 1995 concerning the Capital Market (Statute Book year 1995 number 64, Supplement to the Statute Book Number 3608);
2. Government Regulation Number 45 year 1995 concerning Capital Market Organization (Statute Book Year 1995 Number 86, Supplement to Statute Book Number 3617) as revised by Government Regulation Number 12 year 2004 (Statute Book Year 2004 Number 27, Supplement to Statute Book Number 4372);
3. Government Regulation Number 46 year 1995 concerning Capital Market Formal Investigative Procedures (Statute Book year 1995 Number 87, Supplement to Statute Book Number 3618);
4. Decree of the President of the Republic of Indonesia Number 45/M year 2006;

**HAS DECIDED:**

- To enact : **DECISION OF THE CHAIRMAN OF THE CAPITAL MARKET AND FINANCIAL INSTITUTIONS SUPERVISORY AGENCY CONCERNING GUIDELINES CONCERNING FORM AND CONTENT OF PROSPECTUS FOR A PUBLIC OFFERING BY REAL ESTATE INVESTMENT TRUST IN THE FORM OF COLLECTIVE INVESTMENT CONTRACT.**

**MINISTRY OF FINANCE OF THE REPUBLIC OF INDONESIA**  
**THE CAPITAL MARKET AND FINANCIAL INSTITUTIONS SUPERVISORY AGENCY**

**Article 1**

Provision concerning Guidelines Concerning Form and Content of Prospectus for Public Offering by Real Estate Investment Trust in the Form of Collective Investment Contract is regulated in Rule Number IX.C.16 as stipulated in the attachment of this Decision

**Article 2**

This Decision shall become effective since the date of its promulgation.

In order that all may be informed, it is ordered that this Decision be proclaimed by publication in the *State Gazette* of the Republic of Indonesia.

Enacted in : Jakarta  
Date : December 18, 2007  
Chairman of Capital Market and Financial  
Institutions Supervisory Agency

signed

**A. Fuad Rahmany**  
NIP. 060063058

Copied similar to the original document  
Head of Division of General Affairs

signed

**Prasetyo Wahyu Adi Suryo**  
NIP. 060076008

**ATTACHMENT:**

Decision of the Chairman of  
Capital Market and Financial  
Institutions Supervisory Agency  
(CMFISA)

Number : Kep-424/BL/2007

Date : December 18, 2007

**RULE NUMBER IX.C.16 : GUIDELINES CONCERNING FORM AND  
CONTENT OF PROSPECTUS FOR A PUBLIC  
OFFERING BY REAL ESTATE INVESTMENT TRUST  
IN THE FORM OF COLLECTIVE INVESTMENT  
CONTRACT**

1. General

- a. A Prospectus must contain details and important and relevant fact concerning events, incidents or Material Fact that may affect the price of a Security on an Exchange or that may influence the decisions of investors, prospective investors or others that have an interest in such information, that are known or should reasonably be known by Investment Manager and or Custodian Bank.
- b. A Prospectus shall not contain false statements with respect to Material Fact, and shall not omit Material Fact that would be necessary for the Prospectus to not be misleading.
- c. The Prospectus must be complete, adequate, objective, clear and understandable.
- d. Important facts and opinions should be summarized and disclosed in the beginning of the Prospectus. The sequence of facts in the Prospectus is determined by their relevance to a specific issue, not by this rule.
- e. Real Estate Investment Trust in the form of Collective Investment Contract must highlight important information and facts clearly in order to attract the attention of readers.
- f. The disclosure of information and Material Fact, the use of photos, charts, or tables in the Prospectus must not mislead the Public.
- g. Real Estate Investment Trust in the form of Collective Investment Contract may do an adjustment on Material Fact disclosure, but not limited for Material Fact regulated by this rule. The disclosure of such Material Fact must be clearly presented according to the condition of Real Estate Investment Trust in the form of Collective Investment Contract, so that the Prospectus is not misleading.
- h. Real Estate Investment Trust in the form of Collective Investment Contract, Investment Manager, Custodian Bank, and Capital Market Supporting Professionals, individually or jointly, are responsible that the Prospectus does not contain false statements with respect to Material Information or Fact, and do not omit Material Information or Fact and that must be presented in accordance to item 1 letter b, letter c, letter d, letter e, and letter f in this rule.
- i. For the Investment Manager that offers Participation Unit that issued by more than one Real Estate Investment Trust in the form of Collective Investment Contract, the Prospectus may contain information more than one Real Estate Investment Trust in the form of Collective Investment Contract.
- j. In marketing such Real Estate Investment Trust in the form of Collective Investment

Contract, an updated Prospectus must be provided to investors.

2. Prospectus of A Real Estate Investment Trust in the form of Collective Investment Contract shall at least contain the following information:

a. Information to be presented (disclosed) on the cover of the Prospectus:

- 1) Full name of Real Estate Investment Trust in the form of Collective Investment Contract;
- 2) Legal Form of Real Estate Investment Trust in the form of Collective Investment Contract;
- 3) Business address, company logo, telephone, telex, fax and PO Box number of Real Estate Investment Trust in the form of Collective Investment Contract; if any;
- 4) Effective date;
- 5) Offering period; if any;
- 6) Minimum and or maximum limitation of Participation Unit to be offered (if any);
- 7) Allotment date; if any;
- 8) Refund date; if any;
- 9) Name of the Securities Exchange and the proposed listing date; if any;
- 10) A summary statement regarding basic investment policy of Real Estate Investment Trust in the form of Collective Investment Contract;
- 11) Offering price, which must be equal to the Net Asset Value per Participation Unit;
- 12) Full name of managing underwriter(s); if any;
- 13) Full name of Investment Manager;
- 14) Full name of Custodian Bank;
- 15) Date of the Prospectus and place where it is issued;
- 16) Disclaimer which reads: BEFORE YOU DECIDE TO BUY THESE PARTICIPATION UNITS, PLEASE READ CAREFULLY (with references to pages in the Prospectus concerning investment policies, risk factors and Investment Manager); and

17) The following statement that shall be printed in capital letter:

3. Chairman of Capital Market and Financial Institutions Supervisory Agency (CMFISA) HAS NOT APPROVED OR DISAPPROVED THESE SECURITIES, NOR HAS IT PASSED UPON THE ACCURACY OR ADEQUACY OF THIS PROSPECTUS, ANY CONTRADICTING REPRESENTATION THERE TO IS ILLEGAL

a. Information must be presented (disclosed) on the cover of the Prospectus:

REAL ESTATE INVESTMENT TRUST IN THE FORM OF COLLECTIVE INVESTMENT CONTRACT IS NOT AN INVESTMENT INSTRUMENT THAT GUARANTEED BY THE GOVERNMENT, CENTRAL BANK OF INDONESIA OR OTHER INSTITUTIONS. BEFORE PURCHASING PARTICIPATION UNITS, INVESTORS MUST READ AND UNDERSTAND THE PROSPECTUS AND ANY OTHER OFFER DOCUMENT. THE CONTENT OF THE PROSPECTUS AND THE OTHER OFFER DOCUMENT DO NOT CONSTITUTE ADVICE ON THE MERITS OF BUSINESS, LEGAL, OR TAXATION VIEW.

- b. Table of contents
- c. Terminology and definition
  - Terminology and definition at least must contain the following:
    - 1) Definition of Real Estate Investment Trust in the form of Collective Investment Contract;
    - 2) Legal Form of Real Estate Investment Trust in the form of Collective Investment Contract;
    - 3) Definition of Real Estate Investment Trust in the form of Collective Investment Contract being offered (closed-end or open-end Collective Investment Contract)
    - 4) Definition of Investment Manager;
    - 5) Definition of Custodian Bank;
    - 6) Definition of Special Purpose Company (if any);
    - 7) Definition of Appraiser;
    - 8) Definition of Real Estate Asset;
    - 9) Definition of Real Estate related Asset;
    - 10) Definition of proof of ownership of Real Estate Investment Trust in the form of Collective Investment Contract (Participation Unit);
    - 11) Definition, calculation method and the publication period of Net Asset Value (NAV); and
    - 12) Other material matters;
- d. Information concerning Real Estate Investment Trust in the form of Collective Investment Contract that includes:
  - 1) Establishment of Real Estate Investment Trust in the form of Collective Investment Contract;
  - 2) Participation Unit offering;
  - 3) Summary of rental yield of Real Estate Asset from Real Estate Investment Trust in the form of Collective Investment Contract;
  - 4) Management of Real Estate Investment Trust in the form of Collective Investment Contract that includes:
    - (1) Investment Committee; and
    - (2) Investment Management Team.
- e. Information concerning Investment Manager that includes:
  - 1) A brief information concerning Investment Manager;
  - 2) Investment Manager's experience; and
  - 3) Parties affiliated to the Investment Manager.
- f. Information concerning Custodian Bank that includes:
  - 1) A brief information concerning Custodian Bank;
  - 2) Custodian Bank's experience; and

- 3) Parties affiliated to the Custodian Bank.
- g. Information concerning Special Purpose Company (if any) that includes:
  - 1) A brief information regarding Special Purpose Company including among other thing the establishment, aim and objectives, composition of shareholders, and composition of Board of Directors and Commissioners.
  - 2) Business licenses from authorized Agencies; and
  - 3) Parties affiliated to the Special Purpose Company
- h. Information concerning Appraiser that includes:
  - 1) A brief information concerning Appraiser;
  - 2) Appraiser 's experience; and
  - 3) Parties affiliated to the Appraiser.
- i. Information concerning Capital Market Supporting Professional in relation to the formation of Real Estate Investment Trust in the form of Collective Investment Contract and the issuance of Participation Unit.
- j. The objective and investment policy that include:
  - 1) Description of investment objective of Real Estate Investment Trust in the form of Collective Investment Contract that states clearly and specifically all detail needed by investor in making investment decision;
  - 2) Description of the investment policy that contains Investment Manager's general policy to obtain its investment objective. This description shall include basic policy, including type of Real Estate Asset and or Real Estate related Asset; and
  - 3) Description of policy regarding the periodic distribution of investment benefits to investors (if any);
- k. Method of valuation of Real Estate Asset and Real Estate related Asset;
- l. Expense allocation that includes:
  - 1) Any expense that shall be paid by Fund Manager;
  - 2) Any expense that shall be paid by Real Estate Investment Trust in the form of Collective Investment Contract;
  - 3) Any expense that shall be paid by investor; and
  - 4) Any expense that shall be paid by Investment Manager or Real Estate Investment Trust in the form of Collective Investment Contract.
- m. Taxation.

Description of Real Estate Investment Trust in the form of Collective Investment Contract's tax treatment status under Indonesian taxation law.
- n. Main risk factors, including the following:
  - 1) The risk in relation to the payment of Real Estate;
  - 2) The risk caused by condition of politic, economy and security;
  - 3) Liquidity risk for an open-end Participation Unit in Real Estate Investment Trust in the form of Collective Investment Contract;

- 4) Liquidity risk for closed-end Participation Unit in Real Estate Investment Trust in the form of Collective Investment Contract;  
The selling of Participation Unit by an investor to obtain cash depends on the liquidity of the trading of Participation Unit for Real Estate Investment Trust in the form of Collective Investment Contract on a Securities Exchange.
- 5) The risk of decreasing value of Participation Unit received by investors.
- o. Rights of investors, among other things:
  - 1) Right to receive Annual Report periodically;
  - 2) Right to receive information regarding Net Asset Value of Real Estate Investment Trust in the form of Collective Investment Contract, at least once a month;
  - 3) Right to sell a Participation Unit on a Securities Exchange (if any);
  - 4) Right to receive earning distribution from Real Estate Investment Trust in the form of Collective Investment Contract;
  - 5) Voting rights for Participation Unit holders; and
  - 6) Right to receive left over from liquidation.
- p. Legal opinion from the Legal Consultant registered with CMFISA.
- q. Appraisal Opinion from Appraiser concerning Real Estate Asset valuation.
- r. Requirements and procedures for subscription or buying for Participation Unit:
  - 1) Participation Unit buying procedure (if any);
  - 2) Participation Unit buying procedure on a Securities Exchange (if any);
  - 3) Minimum and maximum limitation for buying Participation Unit;
  - 4) Buying price of Participation Unit;
  - 5) Payment requirements and its expenses;
  - 6) Buying expenses (if any);
  - 7) Cancellation of subscription (if any);
  - 8) Refunds (if any);
  - 9) Delivery of Participation Unit (if any); and
  - 10) Other requirements or matters (if any);
- s. Information concerning the distribution of Prospectus and subscription form for Participation Unit.
- t. Mechanism of buying and selling for Participation Unit of Real Estate Investment Trust in the form of Collective Investment Contract on a Securities Exchange;
- u. Type of Real Estate business activity that underlies the investment objective of Real Estate Investment Trust in the form of Collective Investment Contract
- v. The structure of Real Estate Investment Trust in the form of Collective Investment Contract;
- w. Any agreements in relation to Real Estate Investment Trust in the form of Collective Investment Contract;
- x. Regulations in relation to Real Estate Investment Trust in the form of Collective Investment

- Contract;
- y. Profit prediction and projection of Real Estate Investment Trust in the form of Collective Investment Contract's asset;
  - z. Participation Unit General Meeting;
  - aa. Other material information that must be known by investors (if any).
  - bb. Dissolving and liquidation, includes among other thing:
    - 1) Any matters cause the dissolution of Real Estate Investment Trust in the form of Collective Investment Contract;
    - 2) Dissolution and liquidation procedures of Real Estate Investment Trust in the form of Collective Investment Contract;
    - 3) Liquidation distribution; and
    - 4) Others matters concerning dissolution and liquidation.
4. Revised Prospectus
- a. Real Estate Investment Trust in the form of Collective Investment Contract shall issue revised Prospectus in the event of the change of Material Facts, such as financial report, the change of board of director of Investment Manager, the change of expenses, and the change of Investment Manager's address;
  - b. Revised Prospectus can be in the form of supplement to the existing prospectus by stating: "THIS SUPPLEMENT SHALL BE TREATED AS A REVISION AND AN INTEGRAL PART OF THE PROSPECTUS. "
5. By no means undermining criminal stipulation in capital market, CMFISA may impose sanctions on any violations of this rule, as well as any Person that causes the violation to occur.

Enacted in : Jakarta  
Date : December 18, 2007

Chairman of Capital Market and Financial  
Institutions Supervisory Agency

Signed

**A. Fuad Rahmany**  
NIP. 060063058

Based on the original documents  
Head of General Affairs Division

signed

**Prasetyo Wahyu Adi Suryo**  
NIP 060076008