



FINANCIAL SERVICES AUTHORITY
REPUBLIC OF INDONESIA

REGULATION OF FINANCIAL SERVICES AUTHORITY
NUMBER 29/POJK.04/2016
CONCERNING
ANNUAL REPORT OF ISSUERS OR PUBLIC COMPANIES

BY THE GRACE OF THE GOD ALMIGHTY

THE BOARD OF COMMISSIONERS OF FINANCIAL SERVICES AUTHORITY,

Considering : In order to improve quality of information disclosure on Annual Report by Issuers and Public Companies, it is necessary to improve regulation concerning Annual Report of Issuers or Public Companies with stipulated Financial Services Authority Regulation concerning Annual Report of Issuers or Public Company;

In view of : 1. Law Number 8 of 1995 concerning Capital Markets (State Gazette of the Republic of Indonesia of 1995 Number 64, Supplement to the State Gazette of the Republic of Indonesia number 3608);
2. Law Number 21 of 2011 concerning the Financial Services Authority (State Gazette of the Republic of Indonesia of 2011 Number 111, Supplement to the State Gazette of the Republic of Indonesia 5253)

HAS DECIDED:

To enact : FINANCIAL SERVICES AUTHORITY REGULATION
CONCERNING ANNUAL REPORT OF ISSUERS OR PUBLIC
COMPANIES.

CHAPTER I GENERAL PROVISIONS

Article 1

The terminologies stated in this Financial Services Authority Regulation shall be defined as follows:

1. Annual Report is a responsibility report of the Board of Directors and the Board of Commissioners in managing and supervising an Issuer or Public Company during/throughout 1 (one) financial year to the Annual General Meeting of Shareholders that is prepared in accordance with the relevant provisions of this Financial Services Authority Regulation.
2. Board of Directors:
 - a. a. for Issuers or Public Companies which are a limited company, is the Board of Directors as referred to in The Financial Services Authority Regulation concerning The Board of Directors and The Board of Commissioners of Issuers or Public Companies.
 - b. for Issuers or Public Companies other than limited company, is the body that manages the legal entity as referred to in the Law concerning the legal entity.
3. Board of Commissioners:
 - a. for Issuers or Public Companies which are a limited company, is the Board of Commissioners as referred to in The Financial Services Authority Regulation concerning The Board of Directors and The Board of Commissioners of Issuers or Public Companies.

- b. for Issuers or Public Companies other than limited company, is the body that performs the supervision of the legal entity as stated to in the Law concerning the legal entity.
- 4. The General Meeting of Shareholders hereinafter referred to as GMS:
 - a. for Issuers or Public Companies which are a limited company, the GMS refers to in Financial Services Authority Regulation concerning Planning and Holding General Meetings of Shareholders of Public Limited Companies.
 - b. for Issuers or Public Companies other than limited company, is the organ that has authorities which are not delegated to organ that performs management and supervisory function as stated to in the laws and/or article of association concerning the legal entity.

CHAPTER II

PREPARATION, FORM, AND CONTENT OF ANNUAL REPORT

Article 2

- (1) The Board of Directors shall prepare/produce an Annual Report.
- (2) The Annual Report as referred to in clause (1) shall be reviewed by the Board of Commisioners.

Article 3

- (1) The Annual Report must be printed and bound.
- (2) The Annual Report must be reproduced in the form of copies of printed documents and copies of electronic documents.

Article 4

The Annual Report shall at least include/consist of::

- a. summary of important financial data;
- b. information of share (if any);
- c. report of the Board of Directors;
- d. report of the Board of Commissioners;
- e. profile of Issuers or Public Companies
- f. management Discussion and Analysis
- g. corporate governance
- h. corporate social and environmental responsibility
- i. audited financial statement; and
- j. Statement letter of board of directors and board of commissioners concerning the responsibility for annual report.

Article 5

- (1) The Annual Report shall be presented in Indonesian Language and a foreign language.
- (2) The foreign language of the Annual Report as referred to in clause (1) at least is English.
- (3) The Annual Report in foreign language as referred to in clause (1) shall contain the same information as Indonesian Annual Report.
- (4) In the case that there is any different interpretation and/or between information presented in foreign language with the information presented in Indonesia language as referred to in clause (1), information in Indonesian language is used as the reference.

Article 6

- (1) Annual Report as referred to in Article 2 shall be prepared in accordance with the relevant provisions regarding form and content of Annual Report.

- (2) The provisions regarding form and content of Annual Report furthermore is regulated by the Financial Services Authority Circular Letter.

CHAPTER III SUBMISSION OF ANNUAL REPORT

Article 7

- (1) Issuers or Public Companies shall submit Annual Report to the Financial Services Authority not later than the end of the fourth month after the financial year is ended.
- (2) In the case that the Annual Report is already available to shareholders before the period of submission of the Annual Report ends as referred to in clause (1), the Annual Report shall be submitted to the Financial Services Authority at the same date as the date of the Annual Report is available to the shareholders.
- (3) In the case that the Issuers or Public Companies obtain an effective statement for the first time in the period after the end of the financial year until the deadline for submitting the Annual Report as referred to in paragraph (1), the Issuers or Public Companies shall submit the annual report to the Financial Services Authority not later than the calling date of Annual GMS (if any)
- (4) The Annual Report that is submitted to the Financial Services Authority as referred to in clause (3), may ignore/disregard the provisions regarding form and content of the Annual Report.

Article 8

The requirement to submit Annual Report as referred to in Article 7 does not apply to Issuers, with debt securities and/or Sukuk issuance only that have completed all requirements with debt securities and/or Sukuk holders before the end of submission period of the Annual Report.

Article 9

For Issuers or Public Companies listed on the Indonesia Stock Exchange and Stock Exchanges in other countries, the following conditions apply:

- a. the deadline of Annual Report submission shall be in accordance with the provisions in Article 7;
- b. The submission of Annual Report to the Financial Services Authority and capital market authorities in other countries is carried out on the same date;
- c. Annual report submitted to the Financial Services Authority and capital market authorities in other countries shall consist of the same information, and at least fulfill the provisions referred to in Article 4.

Article 10

- (1) The Annual Report that is submitted to the Financial Services Authority as referred to in Article 7 shall be submitted in form:
 - a. printed documents at least 2 (two) copies, 1 (one) of them in original form; and
 - b. electronic copies.
- (2) The Annual Report submitted in the form of electronic copies shall consist of the same information as the information in the Annual Report submitted in the form of printed documents.
- (3) In the case there is different information presented in between electronic copies with the printed documents as referred to in clause (2), the information that is used as the reference is information in the Annual Report submitted in the form of original printed version.
- (4) The Annual Report in the original version as referred to in clause (1) letter a, shall be signed by all members of the Board of Directors and the Board of Commissioners.

- (5) Electronic copies as referred to in clause (1) letter b shall be submitted through the electronic reporting system of the Financial Services Authority.
- (6) In the case that the printed version and electronic copies of Annual Report is submitted separately, the calculation of punctuality submission of the Annual Report is based on the Annual Report that was firstly received by the Financial Services Authority.
- (7) In the case the Annual Report is presented in a separate book in Indonesian and foreign languages, the Issuer or Public Companies shall submit those Annual Report to the Financial Services Authority in accordance with the provisions in Article 7.
- (8) Submission of the Annual Report presented in a separate books as referred to in paragraph (7) shall be submitted to the Financial Services Authority on the same date.

Article 11

In the case the Issuers or Public Companies submit Annual Report to the Financial Services Authority in the period of annual financial statements submission, the Issuers or Public Companies are exempted from the requirement to submit the annual financial statements, if the Annual Report as referred to in Article 10 clause (1) letter a includes original version of annual financial statements.

Article 12

In the case the submission deadline of the Annual Report as referred to in Article 7 and Article 9 falls on holidays, the Annual Report shall be submitted on the following working day at the latest.

Article 13

In the case the Issuers or Public Companies submit the Annual Report after the submission deadline as referred to in

Article 12, the-lateness is calculated from the first day after the deadline as referred to in Article 12.

CHAPTER IV THE AVAILABILITY OF ANNUAL REPORT

Article 14

The Annual Report shall be available for shareholders at the same date as the calling date of GMS.

Article 15

- (1) The Annual Report shall be uploaded on the Website of the Issuers or Public Companies on the same date as the Annual Report submission to the Financial Services Authority.
- (2) The Annual Report posted on the Website as referred to in clause (1) must shall be available within a certain period of time as stipulated in the Financial Services Authority Regulation concerning the Website of the Issuers or Public Companies.

CHAPTER V THE ACCOUNTABILITY FOR ANNUAL REPORT

Article 16

The Board of Directors and the Board of Commissioner are responsible for the truth of Annual Report's contents.

Article 17

- (1) The Annual Report shall be signed by all active members of the Board of Directors and the Board of Commissioners at the time of submission of the Annual Report.
- (2) In the case there is any member of the Board of Directors and/or members of the Board of Commissioners do not sign the Annual Report as referred to in clause (1), the

member shall mention the reason in written in a separate letter attached to the annual report.

- (3) In the case there is any member of the Board of Directors and/or the Board of Commissioners who do not sign the Annual Report and not mention the reason in written, other members of the Board of Directors and/or the Board of Commissioners who signed the Annual Report shall provide the reasons in written in a separate letter attached to the Annual Report.

Article 18

The signature as referred to in Article 17 is affixed to the statement of the Board of Directors and the Board of Commissioners concerning the responsibility for the Annual Report in a separate sheet in the Annual Report.

CHAPTER VI SANCTION

Article 19

- (1) By no means undermining criminal stipulations in the Capital Markets Sector, the Financial Services Authority is authorized to impose the following administrative sanctions against any party who violates provisions in this Financial Services Authority Regulation including those who cause those violations:
 - a. written Admonition;
 - b. penalty, namely an obligation to pay a certain amount of money;
 - c. restriction of business activity;
 - d. suspension of business activity;
 - e. revocation of business license;
 - f. cancellation of approval; and
 - g. cancellation of registration.

- (2) Administrative sanctions as mentioned in clause (1) point b, point c, point d, point e, point f, or point g can be imposed with or without being preceded by an administrative sanction in the form of written warning as referred to in clause (1) point a.
- (3) The administrative sanction in the form of penalty as referred to in clause (1) point b can be imposed individually or collectively with other administrative sanctions as mentioned in clause (1) point c, point d, point e, point f or point g.

Article 20

In addition to the administrative sanctions as mentioned Article 19 clause (1), the Financial Services Authority can exercise particular actions against any party who violates stipulations in this Financial Services Authority Regulation.

Article 21

The Financial Services Authority can publicize the imposition of administrative sanctions as mentioned in Article 19 clause (1) and other particular actions as referred to in Article 20.

CHAPTER VII

CLOSING PROVISIONS

Article 22

Capital Markets and Financial Institutions Supervisory Agency Number KEP-431/BL/2012 dated 1 August 2012 concerning Obligation to Submit Annual Report for Issuers or Public Companies, and the Rule Number X.K.6 as its Annex shall be revoked and declared annulled on 1 January 2017.

Article 23

This Financial Services Authority Regulation applies to the Annual Reports of Issuers or Public Companies submitted to

the Financial Services Authority in 2017, except for the provisions of Article 7 clause (3) and clause (4), Article 10 clause (6), and Article 13 which apply for Annual Reports of Issuers or Public Companies submitted to the Financial Services Authority in 2016

Article 24

This Regulation of Financial Services Authority shall come into effect upon its promulgation.

For public cognizant, it is hereby ordered that this Regulation of Financial Services Authority be promulgated in the State Gazette of the Republic of Indonesia.

Enacted in Jakarta

On 26 Juli 2016

CHAIRMAN OF BOARD OF
COMMISSIONERS OF
FINANCIAL SERVICES AUTHORITY,

signed

MULIAMAN D. HADAD

Promulgated in Jakarta

on 29 Juli 2016

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

signed

YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2016 NUMBER 150

ELUCIDATION OF
FINANCIAL SERVICES AUTHORITY REGULATION
NUMBER 29 /POJK.04/2016
CONCERNING LICENCING SEGMENTATION OF
ANNUAL REPORT OF ISSUERS OR PUBLIC COMPANIES

I. GENERAL

The Annual Report is not only the accountability report of the Board of Directors and Board of Commissioners in managing and supervising the Issuer or Public Company to the GMS, but also is an important source of information for investors or shareholders including foreign investors or foreign shareholders in making investment decisions and as a shareholders controlling tool toward Issuers or Public Companies. In addition, the Annual Report is also a source of information for regulators in conducting supervision in an effort to protect investors or shareholders interest.

Considering the Annual Report is important for investors or shareholder and also regulator, the quality of the Annual Report needs to be improved both from information quality and also presentation of the Annual Report. In order to improve information quality, improvements need to be made regarding the substance and accuracy of the information contained in the Annual Report. Meanwhile, in order to increase the presentation of the Annual Report, to make it easier for foreign investors or foreign shareholders to access information in the Annual Report, the presentation of the Annual Report needs to be presented both in Indonesian and foreign languages, where the least foreign language is English.

Beside its useful to investors or shareholders, and regulators, a quality Annual Report can be a tool to promotion for Issuers or Public Companies in enhancing the competitiveness of Issuers or Public Companies with regional and international companies.

II. ARTICLE BY ARTICLE

Article 1

Self explanatory.

Article 2

Self explanatory.

Article 3

Paragraph (1)

Self explanatory.

Paragraph (2)

"Copy of printed documents" includes photocopies.

Article 4

Self explanatory.

Article 5

Paragraph (1)

Presentation of the Annual Report in both Indonesian and foreign languages can be presented in 1 (one) book or in a separate book.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Self-explanatory.

Paragraph (4)

Self-explanatory.

Article 6

Self explanatory.

Article 7

Paragraph (1)

Self explanatory.

Paragraph (2)

"already available to shareholders" i.e. when the Annual Report has been provided by the Issuer or Public Company and can be accessed by shareholders, for example in the office or Website of the Issuers or Public Companies.

Paragraph (3)

Example:

Issuer X' Registration Statement obtains an effective statement on March 20, 2016 and the year book expires as of December 31, 2015.

Issuer X will conduct the Annual General Meeting of Shareholders on June 16, 2016. Thus, Issuer X has the obligation to submit the Annual Report no later than the date of the invitation to the Annual GMS, i.e. 21 days before the GMS (on May 25, 2016).

Paragraph (4)

Self explanatory.

Article 8

Self explanatory.

Article 9

Self explanatory.

Article 10

Paragraph (1)

Self explanatory.

Paragraph (2)

Self explanatory.

Paragraph (3)

Self explanatory.

Paragraph (4)

"signed " is a sign that is done using stationery, or generally known as a wet signature.

Paragraph (5)

"electronic reporting system" is the Issuer or Public's Electronic Reporting System (SPE).

Paragraph (6)

Self-explanatory

Paragraph (7)

Self-explanatory

Paragraph (8)

Self-explanatory

Article 11

"original form of financial statements " is the annual financial statements signed by the President Director and the Director who in charge of accounting or finance and has sufficient stamp duty as stipulated in the legislation in the Capital Market sector which regulates the responsibilities of the Directors on Financial Statements.

At the time this Financial Services Authority Regulation come into effect, law and regulations in the Capital Market concerning the responsibilities of the Board of Directors on the applicable Financial Statements is Rule Number VIII.G.11, attachment to Decision of the Chairperson of the Capital Market Supervisory Agency Number: Kep-40/PM/2003 dated 23 December 2003 concerning the Responsibilities of the Board of Directors on Financial Statements.

Article 12

Self explanatory.

Article 13

Example:

If the end of the fourth month after the end of the financial year which is the deadline for submission of the Annual Report falls on Saturday, the Issuer or Public Company must submit on the following working day at the latest, namely Monday. If the Issuers or Public Companies submit the Annual Report after the deadline, for example, submitted

on Wednesday, the calculation of the delay in submission of the report is calculated from Tuesday. Thus, the Issuer or Public Company experiences a delay in submitting the Annual Report for 2 (two) days.

Article 14

Self-explanatory

Article 15

Self-explanatory

Article 16

Self-explanatory

Article 17

Self-explanatory

Article 18

Self-explanatory

Article 19

Self-explanatory

Article 20

“Particular actions” might include, among others:

- a. postponement of effective statement issuance, such as effective statement for business integration, business merger; and
- b. Postponement of statement by the Financial Services Authority confirming that there is no further feedback on documentx submitted to the Financial Services Authority for capital injection with Rights Issue.

Article 21

The Financial Services Authority can announce the imposition of administrative sanctions and particular actions through the Financial

Services Authority's website or the Financial Services Authority's annual report.

Article 22

Self-explanatory.

Article 23

Self-explanatory.

Article 24

Self-explanatory.

SUPPLEMENT TO THE STATE GAZETTE OF THE REPUBLIC OF INDONESIA
5911