

RULE NUMBER VI.C.2 : REGISTRATION OF A COMMERCIAL BANK AS A TRUST AGENT

Attachment :

Decision of the Chairman of Bapepam

Number : Kep-36/PM/1996

Date : January 17, 1996

1. An application for registration of a commercial bank as a Trust Agent must be submitted to Bapepam in 4 (four) copies by using Form Number VI.C.2-1 attachment 1 of this rule
2. An application of registration mentioned in item 1 is enclosed with the following documents:
 - a. the articles of association;
 - b. the Tax Registration Number;
 - c. the business license as a commercial bank;
 - d. the recent annual financial statement, audited by an Accountant registered with Bapepam;
 - e. a recommendation from Bank Indonesia;
 - f. operational manual of Trust Agent activities;
 - g. a statement of directors that Trust Agent administrative activities are separated from other banking activities;
 - h. a list of directors and commissioners, enclosed with curriculum vitae and identity cards;
 - i. a list of responsible authorities, experts in the field of Trust Agent, enclosed with:
 - 1) curriculum vitae;
 - 2) identity cards;
 - 3) copies of passport, for foreigners;
 - 4) work permits (IKTA) for expatriates; and
 - 5) the last formal education diploma;
 - j. technical considerations such as readiness of experts in the field of Trust Agent.
3. The operational manual mentioned in item 2 f of this rule, will contain, at least:
 - a. the bank and Trust Agent organizational structures; and
 - b. a list of employees and job distribution of Trust Agent activities.
4. If the application mentioned in item 1 of this rule does not meet the requirements Bapepam will send a notification to the applicants within 45 (forty five) days after receiving the application, stating that:
 - a. the application is not complete using Form Number VI.C.2-2, attachment 2 of this rule, or
 - b. the application is rejected, using Form Number VI.C.2-3, attachment 3 of this rule.
5. If the application mentioned in item 1 of this rule meets the requirements, within forty-five (45) days after receiving a complete application, Bapepam will grant registration as a Trust Agent, using Form Number VI.C.2-4 of attachment 4 of this rule.
6. Any change in data and information regarding the Trust Agent must be reported to Bapepam within 14 (fourteen) days after the change occurs.

FORM NUMBER: VI.C.2-1

Attachment : 1
 Rule Number : VI.C.2

Number : Jakarta ,19..
 Enclosure :
 Subject : Application for Registration as a Trust Agent
 To
 Chairman of Capital Market Supervisory Agency
 At -
 Jakarta

We hereby submit our application for registration as a Trust Agent. In support of this application, we submit the following data:

1. Name of Applicant :
2. Address of Applicant :
(Address)
 □□□□ (City & Post Code)
3. Name of Commercial Bank:
4. Address of Commercial Bank:
-(Name of street & Number)
 - □□□□ (City & Code Post)
5. Numbers of Phone, Telex and Facsimile:
-
6. Number of Business License :
7. Number and authorization date of Articles of Association from Minister of Justice:

8. Tax Registration Number:
 .□□□.□□□.□-□□□

To complete this application, we submit the following documents:

1. a copy of articles of association;
2. a copy of the tax registration number;
3. a copy of the business license as a commercial bank;
4. recent annual financial statements which have been audited by an Accountant registered with Bapepam;
5. a copy of a recommendation from Bank Indonesia;
6. the operational manual of the Trust Agent;
7. a statement from the directors which states that the Trust Agent administrative activity is

separated from other bank activities;

8. a list of board of directors and commissioners enclosed with curriculum vitae, and copies of Identity Cards;
9. a list of responsible authorities and experts of the Trust Agent, curriculum vitae, copies of Identity Cards, copies of passports and Work Permits for foreigners, and copies of last formal educational diplomas;
10. technical qualifications such as expertise in Trust Agent activities; and
11. responses to questions in attachment 1 (List of Questions) and attachment 2 (Schedule A) of this form .

Thank you for your attention.

Applicant
stamp duty

.....
(Full name)

FORM NUMBER : VI.C.2-1-1

Attachment : 1

List Of Question

Instruction For Answering The Questions

1. All the questions must be answered by the applicant.
2. Put a ✓ mark in the box in front of the word “yes”, if your answer is “Yes”, or put a ✓ mark in the box in front of the word “no” if the answer is “No”.

For each “yes”, the applicant must provide a clear and detailed explanation, which shall include among other things:

- a. related institutions and individuals;
- b. cases and dates of the action taken;
- c. the court or institution taking the action; and
- d. the action taken and sanction imposed.

Please answer the following questions:

1. In the past ten years, has the applicant been convicted of:
 - a. a criminal act related to investments or Trust Agent activities?
 yes no
 - b. any other crime?
 yes no
2. Has any court:
 - a. ever declared the applicant to be bankrupt?
 yes no
 - b. in the past ten years forbidden the applicant to have activities related to investments or the Trust Agent activities?
 yes no
 - c. declared the applicant guilty of an activity related to investment or a Trust Agent activity that caused a company’s business license to be suspended, restricted, or revoked?
 yes no
3. Has Bapepam ever:
 - a. found the applicant to have made a false or misleading statement?
 yes no
 - b. found the applicant to be involved in a violation of Capital Market regulations?

- yes no
- c. declared the applicant guilty of an activity related to investment or a Trust Agent activity that cause a company's business license to be suspended, restricted, or revoked?
- yes no
- d. forbidden the applicant from engaging in investment or Trust Agent activities in the last ten years?
- yes no
5. Has any institution other than a court, Bapepam or a Securities Exchange ever:
- a. found the applicant to have made a false or misleading statement or to have been dishonest, unfair or unethical?
- yes no
- b. found the applicant to be involved in a violation of an the Investment and Trust Agent regulation, and other applicable law ?
- yes no
- c. declared the applicant guilty of an activity related to investment or a Trust Agent activity that caused a company's business license to be suspended, restricted, or revoked?
- yes no
- d. forbidden the applicant from engaging in activities related to investment or Trust Agent activities in the last ten years?
- yes no
- e. denied, suspended, or revoked the applicant's registration or license?
- yes No
5. Has a Securities Exchange ever:
- a. found the applicant to have made a false statement or omitted facts that should have been disclosed?
- yes No
- b. found the applicant to be involved in a violation of Securities Exchange Regulations?
- yes No
6. Has any court in another country, ever declared the Applicant to be guilty in criminal or civil suit related to investment or Trust Agent activities?
- yes No
7. Is the applicant now involved in court case?
- yes No
8. Does the applicant have a commitment, covenant, or liability with a third person whose case is being processed or has been decided by a court ?

yes No

9. Has the Bank of Indonesia ever :

a. imposed a sanction on the applicant ?

yes No

b. found the applicant to be involved in a violation of a banking regulations?

yes No

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Applicant

stamp duty

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(Full Name)

FORM NUMBER: VI.C.2-2

Attachment : 2
PeRule Number : VI.C.2

Number : S- /PM/19... Jakarta,19..

Enclosure: ----

Subject : Notification of Incomplete Data in Application for
Registration as a Trust Agent.

To

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At

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Referring to your letter Number dated subject
....., we hereby notify you that your application is
incomplete because it does not contain the following :

1.....

2.....

3.....

With respect to the matters above, we hereby inform you that your application for registration
as a Trust Agent will not be further processed until you supply the information referred above.

Please be advised accordingly.

CAPITAL MARKET
SUPERVISORY AGENCY

Chairman,

.....
NIP

cc.

1. Secretary of Bapepam;
2. Heads of Bapepam Bureaus.

FORM NUMBER: VI.C.2-3

Attachment : 3
Rule Number : VI.C.2

Number : Jakarta,19..
Enclose :
Subject : Rejection of an Application for
Registration as a Trust Agent

To
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At
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Referring to your letter Number: dated,
regarding, after examining your application, we hereby inform you that
your application is rejected for the following reasons':

1.
2.
3.

Please be advised accordingly.

CAPITAL MARKET
SUPERVISORY AGENCY

Chairman,

.....
NIP

- cc.
1. Secretary of Bapepam;
 2. Heads of Bapepam Bureaus .

FORM NUMBER: VI.C.2-4

Attachment : 4
Rule Number : VI.C.2

**REGISTRATION LETTER OF TRUST AGENT
AS A TRUST AGENT**

Number :

This Registration Letter as a Trust Agent is assigned to with all rights and obligations provided in Law Number 8 Year 1995 concerning The Capital Market and Government Regulation No 45 of 1995 Concerning Capital Market Organization.

This Registration Letter as a Trust Agent shall be effective as of the date issued and if there is any mistake in this letter, the Chairman of Bapepam may review it.

Jakarta, 19..

CAPITAL MARKET
SUPERVISORY AGENCY
Chairman,

.....
NIP.

cc:

1. Secretary of Bapepam;
2. Heads of Bapepam Bureaus;
3. Directors of Bank Indonesia.