

MINISTRY OF FINANCE OF REPUBLIC OF INDONESIA
DECISION OF CHAIRMAN OF CAPITAL MARKET AND FINANCIAL
INSTITUTION SUPERVISORY AGENCY
DUPLICATE OF
DECISION OF CHAIRMAN OF CAPITAL MARKET AND FINANCIAL
INSTITUTION SUPERVISORY AGENCY
NUMBER: KEP-479/BL/2009
CONCERNING
LICENSING PROCEDURES FOR SECURITIES COMPANY CONDUCTING
BUSINESS AS AN INVESTMENT MANAGER
CHAIRMAN OF CAPITAL MARKET AND FINANCIAL INSTITUTION
SUPERVISORY AGENCY,

- Considering :
- a. that in order to improve the quality and professionalism of the Investment Manager, a mechanism is needed to ensure that Investment Manager has the ability to perform its duties and functions properly, in order to create an orderly, fair, and efficient capital market activities;
 - b. that Investment Manager has a different business character than Broker-Dealer and Underwriter, so special rules is required for Investment Managers, in this case, Licensing Procedures For Securities Company Conducting Business As An Investment Managers;
 - c. that based on consideration pertinent to letter a and b, it is deemed necessary to establish Decision of Chairman of Capital Market and Financial Institution Supervisory Agency Concerning Licensing Procedures for Securities Company Conducting Business As An Investment Manager;

- In view of :
1. Law Number 8 of 1995 Concerning Capital Market (Statute Book Year 1995 Number 64, Supplement to the Statute Book Number 3608);
 2. Government Regulation Number 45 of 1995 Concerning Capital Market Organization (Statute Book Year 1995 Number 86, Supplement to Statute Book Number 3617) as 1mended by Government Regulation Number 12 of 2004 (Statute Book Year 2004 Number 27, Supplement to Statute Book Number 4372);
 3. Government Regulation Number 46 of 1995 Concerning Capital Market Examination (Statute Book Year 1995 Number 87, Supplement to Statute Book Number 3618);
 4. President of Indonesia Decree Number 45/M Year 2006;

HAS DECIDED:

- To issue : **DECISION OF CHAIRMAN OF CAPITAL MARKET AND FINANCIAL INSTITUTION SUPERVISORY AGENCY CONCERNING LICENSING PROCEDURES FOR SECURITIES COMPANY CONDUCTING BUSINESS AS AN INVESTMENT MANAGER**

MINISTRY OF FINANCE OF REPUBLIC OF INDONESIA
CAPITAL MARKET AND FINANCIAL INSTITUTION SUPERVISORY AGENCY

Article 1

The Provisions concerning Licensing Procedures for Securities Company conducting business as an investment manager are regulated in Rule Number V.A.3 as stipulated in the Attachment of this Decision.

Article 2

- (1) Securities Company that already has license as an Investment Manager before stipulation of this decree, must adjust to provisions of Rule Number V.A.3 attachment of this decree no later than one year since the enactment of this Decision.
- (2) One-year period referred to in paragraph (1) does not apply to:
 - a. provisions Rule No. V.A.3 Attachment of this Decision which are substantially similar to the provisions set forth in Rule No. V.A.1 of the Securities Company Licensing; and
 - b. provisions of Number 1 letter c Rule No. V.A.3 Attachment of this Decision.

Article 3

- (1) Investment Manager who at the time of the enactment of this decision is conducting:
 - a. fund management for investors based on bilateral and individual funds management contracts, but not all managed in Securities Portfolio; and/or
 - b. fund management for investors based on bilateral and individual funds management contracts but the funds are managed in a single investment portfolio for a group of customers,must adjust to the provisions of Number 1 letter c Rule No. V.A.3 attachment of this Decision until the expiration date of the contracts referred to in paragraphs a and/or letters b, or at least 2 (two) years since the stipulation of this Decision, whichever is sooner.
- (2) Contract referred to in paragraph (1) letters a and b that has expired may be extended in accordance with provisions stipulated in points 1 letter c Rule Number V.A.3 attachment of this Decision.
- (3) After the enactment of this decision, Investment Manager is prohibited to enter into a new contract that is not in accordance with the provisions of point 1 letter c. of Rule Number V.A.3 attachment of this Decision.

Article 4

With the enactment of this Decision, all provisions of Rule Number V.A.1 Concerning Securities Company Licensing related to all Securities Companies conducting business as an Investment Manager, are declared not applicable to Investment Manager.

Article 5

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

Enacted in : Jakarta

Date : December 31, 2009

Chairman of Capital Market and Financial
Institution Supervisory Agency

Signed

A. Fuad Rahmany

NIP. 060063058

Based on the original documents

General Affair Division Head

Signed

Kristrianti Puji Rahayu

NIP 060089892

ATTACHMENT :

Decision of Chairman of Capital Market and
Financial Institutions Supervisory Agency

Number : Kep- 479/BL/2009

Date : December 31, 2009

**RULES NUMBER V.A.3 : LICENSING PROCEDURES FOR A SECURITIES
COMPANY CONDUCTING BUSINESS AS AN
INVESTMENT MANAGER**

1. GENERAL PROVISIONS

- a. Investment Manager is the Investment Manager as referred to in Law Number 8 Year 1995 concerning Capital Market.
- b. Person who may conduct business activity as an Investment Manager is a Securities Company which has already obtained business license from Capital Market and Financial Institutions Supervisory Agency (CMFISA).
- c. An Investment Manager may conduct business activities in the form of:
 - 1) management of Securities portfolio for the interest of a particular investor based on an individual and bilateral fund management agreement arranged according to CMFISA rules;
 - 2) management of collective investment portfolios for a group of investors through a vehicle or products which are regulated by CMFISA rules; and/or
 - 3) other activities in accordance with provisions set by CMFISA.
- d. An Investment Manager that does not have a business license as an Investment Advisor may conduct business activities as an Investment Advisor provided that such Investment Manager does not charge any fee for advice on sale or purchase of Securities offered to its clients.

2. CONTROLLER AND SHAREHOLDER

- a. An Investment Manager is prohibited to be controlled, directly or indirectly, by Person who:
 - 1) has ever committed indecent conduct and or being punished for committed financial crime that has been proven; and
 - 2) has no good integrity and moral.
- b. A controller and shareholder of Securities Company shall satisfy the following requirements:
 - 1) integrity requirements that consist of:
 - a) has never committed indecent conduct and or being punished for committed financial crime that has been proven;
 - b) having good character and morals;
 - c) having high level commitment to comply with the prevailing rules and regulations; and
 - d) having high level commitment to develop a sound operation of Investment Managers.

- 2) financial soundness requirements, that consist of:
 - a) financial ability; and
 - b) has never been declared bankrupt; and
 - c) has never became member of board of directors and commissioners that has been proven guilty for causing a company to be declared bankrupt.
- c. In case where an Investment Manager is an Issuer or a Public Company, stipulation referred to in letter b of this rule only binds the controlling shareholder and the shareholder who owns 20% (twenty percent) or more of shares of the aforementioned Investment Manager.

3. DIRECTOR AND COMMISSIONER

- a. An Investment Manager must have at least 2 (two) members of board of directors and 2 (two) members of board of commissioners.
- b. Any director and any member of board commissioners of Investment Manager shall satisfy the following requirements:
 - 1) integrity requirements that consist of:
 - a) individual who is capable to commit legal deeds;
 - b) has never been declared bankrupt or became member of board of directors and commissioners that proven guilty for causing a company to be declared bankrupt;
 - c) has never been a member of board of directors or commissioners who is declared responsible for a company to become bankrupt based on of Shareholders General Meeting or other equivalent organ;
 - d) has never been as a member of board of directors or commissioners of a company that is declared bankrupt, unless he/she can prove that he/she has fulfilled requirements set by article 104 point 4 of Law Number 40 Year 2007 concerning Limited Liability Company.
 - e) has never committed indecent conduct and or being punished for committed financial crime that has been proven;
 - f) having good moral and integrity;
 - g) having high level commitment to comply with the prevailing rules and regulations; and
 - h) having high level commitment to develop a sound operational of Investment Manager.
 - 2) competency and expertise in capital market requirements, with the following provisions:
 - a) for a candidate of a director:
 - (1) having sufficient knowledge in Capital Market that is relevant with his position and having academic educational background at least D3 (diploma three) degree;
 - (2) having experience and expertise in Capital Market and or financial sector for at least 3 (three) years at managerial level in companies conducting business in Capital Market and or financial sector dealing with management of client's or

institution's fund invested in Securities portfolio or collective investment portfolio.

Managerial positions referred to in this item are:

- a. position a level below board of directors;
 - b. supervise a working unit in an institution conducting business in capital markets and/or financial sector; or
 - c. supervise at least 10 (ten) employees.
- b) for a candidate of a member of board of commissioners:
- (1) having sufficient expertise in capital market that is relevant to the position; and or
 - (2) having experience for at least 2 (two) years in company conducting business activities in capital market and or financial sector;
- c. All members of directors of an Investment Manager shall have individual license as Securities Company Representative and at least one board member shall have individual license as Investment Manager Representative.
- d. Members of directors of an Investment Manager is prohibited from holding double positions in other companies, except as commissioner of Securities Exchange, Clearing and Guarantee Institution or Custodian and Settlement Institution.
- e. Member of board of commissioners of Investment Manager is prohibited from holding position as a member of board of commissioners in other Securities Companies at the same time.
- f. Director of Investment Manager shall be dwelling in Indonesia.
- g. Members of Investment Manager's board of directors are responsible for the completeness and correctness of the documents submitted to Bapepam and LK.
- The responsibility for assuring correctness of documents does not apply where directors can prove that they has professionally acted and has taken sufficient steps to ensure that the documents submitted are correct.
- h. Members of directors and member of board of commisioners of an Investment Manager shall be fully responsible for the correctness of the contents of Investment Manager's financial statements.

4. ORGANIZATIONAL STRUCTURE

Investment Manager must have a working unit or official who carries out Investment Manager functions as stipulated in Bapepam and LK Rule Number V.D.11 regarding Guidelines for the Implementation of Investment Manager's Functions.

5. PROCEDURES FOR FILING APPLICATION FOR BUSINESS LICENSE

- a. Application for business license of an Investment Manager is filed to Bapepam and LK in 2 (two) copies using Form Number: VA3-1 attachment 1 of this rule.
- b. Application for business license of Investment Manager referred to in number 1 letter a of this rule along with the following supporting documents:

- 1) identity of investment manager, such as name, address, telephone, facsimile and logo;
- 2) copy of deed of incorporation of the Securities Company that has been legalized by authorized institution, along with recent amendment of articles of association that has been approved by or has been issued notification of acceptance of amendment of articles of association from the authorized institution;
- 3) Investment Manager's compliance plan with regard to existing rules and regulation in the capital market by using Form Number: V.A.3-2 attachment 2 of this rule;
- 4) Risk management strategy by using Form Number: V.A.3-3 attachment 3 of this rule;
- 5) Copy of Tax Payer Identification Number (NPWP) of the company;
- 6) list of names and data of directors, commissioners, and employees who have licenses as Securities Company Representatives, and employees in charge of implementing and/or coordinating Investment Manager's functions in accordance with Bapepam and LK Rule No. V.D.11 regarding Guidelines for the Implementation of the Investment Managers Functions, which consist of:
 - c) curriculum vitae signed by respective person, containing occupational background, such as official position, reason for quitting or resigning of previous position, and summary of duties and responsibility of the position;
 - d) copy of recent formal education certificates or certificates of expertise;
 - e) copy of individual license as Securities Company Representative and/or Investment Fund Selling Agent Representatives (if any);
 - f) copy of valid residence identification card or passport; and
 - g) 2 (two) pieces of 4x6 cm size recent photographs;
- 7) list of names and data of shareholders:
 - a) individual, consist of:
 - (1) curriculum vitae signed by respective person;
 - (2) copy of valid residence identification card or passport; and
 - (3) 2 (two) pieces of 4x6 cm size of recent photograph;
 - (4) documents showing the financial condition including annual tax declaration (SPT), checking account or other assets list;
 - b) legal entity, consist of:
 - (1) copy of deed of incorporation of the company that has been legalized by authorized institution, along with recent amendment of articles of association that has been approved by or has been issued notification of acceptance of amendment of articles of association from the authorized institution;
 - (2) copy of Tax Payer Identification Number (NPWP) for Indonesian legal entity;

- (3) information regarding the Person controlling the legal entity directly or indirectly, such as name and form of control;
- (4) latest financial statement of the legal entity;
- (5) list of names and data of directors, commissioners and or management, consist of:
 - (a) curriculum vitae signed by respective person;
 - (b) copy of valid residence identification card or passport; and
 - (c) 2 (two) pieces of 4x6 cm size of recent photograph;
- (6) list of names and data of shareholders:
 - (a) individual, consist of:
 - i. curriculum vitae signed by respective person;
 - ii. copy of valid residence identification card or passport; and
 - iii. 2 (two) pieces of 4x6 cm size of recent photograph;
 - iv. documents showing the financial condition include SPT, balance sheet or other property list;
 - (b) legal entity, consist of:
 - i. latest articles of association; and
 - ii. latest financial statement of the legal entity;
- (7) for foreign company performing business as securities company, confirmation letter and or other evidence from regulator of capital market activity in the respective country proving that such company is under its supervision;
- (8) for foreign company performing business as financial service company, statement letter and or other evidence from regulator of financial service activity in the respective country proving that such company is under its supervision.
- 8) in case where an Investment Manager is an Issuer or a Public Company, the obligation referred to in item 7 b) only covers the controlling shareholder and the shareholder who owns 20% (twenty percent) or more of the Investment Manager shares.
- 9) information regarding Person controlling the company both directly and indirectly that includes among other things name and the controlling form;
- 10) copy of Foreign Manpower Employment Permit (IMTA) and Foreign Manpower Working Permit (IKTA) for foreign citizen from the authorized institution in accordance with the provision of prevailing rules and regulations;
- 11) copy of Temporary Stay Permit Card (KITAS) or a Permanent Stay Permit Card (KITAP) for Securities Companies with foreign citizens directors;
- 12) latest financial statement audited by public accountant registered in Bapepam and LK. The time period between the date of such financial

statement and the date of issuance of business license as Investment Manager should not be more than 90 (ninety) days;

- 13) copy of joint venture agreement for joint venture securities company;
 - 14) balance sheet;
 - 15) evidence of capital deposits;
 - 16) evidence of Net Adjusted Working Capital as required by Rule Number: V.D.5;
 - 17) statement letter from the Person controlling the Investment Manager both directly and indirectly stating that he/she:
 - a) has never committed indecent conduct and or being punished for committed financial crime that has been proven;
 - b) having good moral and integrity;
 - c) having high level commitment to comply with the prevailing rules and regulations; and
 - d) having high level commitment to develop a sound operation of Securities Company;
 - e) has never been a member of board of directors or commissioners who is declared responsible for a company to become bankrupt based on of Shareholders General Meeting or other equivalent organ;
 - f) has never been as a member of board of directors or commissioners of a company that is declared bankrupt, unless he/she can prove that he/she has fulfilled requirements set by article 104 point 4 of Law Number 40 Year 2007 concerning Limited Liability Company;
- in accordance with Form Number: V.A.3-4 attachment 4 of this rule;
- 18) in case where an Investment Manager is an Issuer or a Public Company, the obligation referred to in item 17 only covers the controlling shareholder and the shareholder who owns 20% (twenty percent) or more of the Investment Manager shares.
 - 19) statement letter from director and commissioner stating that the following requirements have been fulfilled:
 - a) individual who is capable to commit legal deeds;
 - b) has never been declared bankrupt or became member of board of directors and commissioners that proven guilty for causing a company to be declared bankrupt;
 - c) has never been a member of board of directors or commissioners who is declared responsible for a company to become bankrupt based on of Shareholders General Meeting or other equivalent organ;
 - d) has never been as a member of board of directors or commissioners of a company that is declared bankrupt, unless he/she can prove that he/she has fulfilled requirements set by article 104 point 4 of Law Number 40 Year 2007 concerning Limited Liability Company;
 - e) has never committed indecent conduct and or being punished for committed financial crime that has been proven;

- f) having good moral and integrity;
 - g) having high level commitment to comply with the prevailing rules and regulations; and
 - h) having high level commitment to develop a sound operation of Investment Manager;
- by using Form Number: V.A.3-5 attachment 5 of this rule;
- 20) statement letter from the director stating that Investment Manager is fully responsible, including in financial term, for any activities related to securities on behalf of the Investment Manager, by director, Investment Manager Representative, employee, and other Person who works for the Investment Manager, by using Form Number: V.A.3-6 attachment 6 of this rule;
 - 21) statement letter from director stating that he or she is not working with any other company from the date when the Securities Company obtains business license as Investment Manager until his/her term expires as director, unless otherwise allowed in this Rule, by using Form Number: V.A.3 -7 attachment 7 of this rule;
 - 22) statement letter from commissioner stating that he or she is not working with any other company from the date when the Securities Company obtains business license as Investment Manager until his/her term expires as commissioner, by using Form Number: V.A.3 -7 attachment 7 of this rule;
 - 23) statement letter from director and commissioner stating that they do not have family relationship up to second degree, horizontal or vertical, with the director or commissioner of the respective Investment Manager, by using Form Number: V.A.3-8 attachment 8 of this rule ;
 - 24) statement letter from director and commissioner stating that they do not have family relationship up to second degree, horizontal or vertical, with the director or commissioner of other Securities Companies or Issuers listed on Stock Exchange, by using Form Number: V.A.3-9 attachment 9 of this rule;
 - 25) statement letter from the employee who holds individual license as Securities Company Representative stating that such employee is not working with any other Securities Company, in accordance with Form Number: V.A.3-10 attachment 10 of this rule;
 - 26) letter of domicile issued by building management or other related authority, copy of ownership proof if the business place owned by Investment Manager or agreement if the business place is not owned by the company, layout of the office, and photos of rooms of Investment Manager with their usage;
 - 27) organization structure including job description, which at least contains following information :
 - a) names of board of commissioner;
 - b) name of director position and names of members of board of director;
 - c) job description and responsibilities among members of the board of directors (if any);

- d) working units or officers and employees who carry out the Investment Manager functions as stipulated in Bapepam and LK Rule Number V.D.11 concerning Guidelines for the Implementation of Investment Managers Functions; and
 - e) information about the number and names of employees in each working unit one level below the board of directors;
- 28) Description of operation plan and mission of the company for at least 5 (five) years ahead, which at least includes the following information:
- a) investment management services to be offered;
 - b) target customers and/or investors relating to product that will be offered;
 - c) contribution percentage of revenue from each product to the company's total revenues;
 - d) product distribution method that will be offered; and
 - e) products selling method to prospective customers and/or investors;
- 29) the company and financial projection for at least 5 (five) years to come, which at least include the following information:
- a) type of revenues from products that will be offered for 5 (five) years to come;
 - b) costs arising from company's operation activities for 5 (five) years to come; and
 - c) percentage of revenue contribution from each product to the company's total revenues for 5 (five) years to come;
- 30) statement letter from directors concerning director's responsibility for completeness and correctness of documents submitted to Bapepam and LK by using Form Number: V.A.3-11 attachment 11 of this rule;
- 31) answers to questionnaires in accordance to Form Number : V.A.3-12 attachment 12 of this rule, Form Number : V.A.3-13 attachment 13 of this rule, and Form Number: V.A.3-14 attachment 14 of this rule;
- 32) list of branches and its changes in accordance to Attachment V.D.8-1 Bapepam-LK Rule Number V.D.8; concerning Securities Company Activities At Various Locations; and
- 33) standard operating procedures of Investment Manager which at least contain provisions as stipulated in Bapepam-LK rules related to the implementation of Investment Manager's business activity.
- c. In case where a Securities Company that has already hold Securities Company business license as Broker Dealer and/or Underwriter and intend to apply for Investment Manager business license, period between the date of latest audited financial statement referred to in letter b point 12) and the date of issuance of Investment Manager business license shall not be more than 180 (one hundred eighty) days.
- d. In order to process an application for an Investment Manager business license, Bapepam-LK shall review required documents, may conduct interview, request for presentation, conduct on-site inspection at the applicant office, conduct fit and proper test for candidates of shareholders,

controllers, members of board of directors and commissioners of Investment Manager, and or request for additional documents.

- e. In case where shareholder of Investment Manager is in a form of legal entity, fit and proper test of such legal entity shall be conducted by assessing such legal entity and its management, as well as by assessing any Person who is based on Bapepam-LK review is considered as owner and controller, directly or indirectly, of such legal entity.
- f. In case where an application fails to meet requirements, Bapepam-LK shall send notification letter to the applicant stating that:
 - 1) its application is incomplete by using Form Number: V.A.3-15 Attachment 15 of this rule; or
 - 2) its application is refused by using Form Number: V.A.3-16 Attachment 16 of this rule.
- g. Applicant who has not completed all documents required within 45 (forty five) days after the date of the notification letter as meant in letter f point 1) of this rule is considered to be withdrawn.
- h. In case of the application has completed the requirements, Bapepam-LK shall grant business license of Investment Manager proposed to the licensee by using Form Number: V.A.3-17 Attachment 17 of this rule.

6. CONTINUING OBLIGATIONS

- a. Investment Manager should comply with all prevailing provisions of the Capital Market rules and regulations.
- b. Investment Manager must update the compliance strategy and risk management strategy if:
 - 1) there is a change and/or additional activities in Investment Manager; and / or
 - 2) there are new rules and/or changes in Bapepam and LK Rule or other related regulations.
- c. Investment Manager must report to Bapepam and LK any alteration in relation to:
 - 1) identity of the company, that includes among other thing name, address, or logo;
 - 2) articles of association of the company;
 - 3) Tax Payer Identification Number (NPWP) of the company;
 - 4) Foreign Manpower Employment Permit (IMTA) and or Foreign Manpower Working Permit (IKTA) for foreign citizen;
 - 5) Temporary Stay Permit Card (KITAS) or a Permanent Stay Permit Card (KITAP) for Securities Companies with foreign citizens directors;
 - 6) joint venture agreement for joint venture Investment Manager;
 - 7) information on business place and internal control system of Investment Manager;
 - 8) organizational structure and job description of each employee as mentioned in number 5 letter b item 27);
 - 9) recruitment and or resignation of Securities Company Representative; and

- 10) standard operating procedures of the company; dan
 - 11) compliance strategy and risk management strategy,
no later than 7 (seven) days after completion of such alteration.
- d. In case that director and/ or commissioner resigns, deceases, or being fired, Investment Manager shall report Bapepam-LK no later than 2 (two) working days since the above mentioned events have been known by the Investment Manager.
 - e. Bapepam and LK may postpone the resignation or dismissal of directors and/or commissioner referred to in item 6 letter d.
 - f. Planning for changing of shareholders of Investment Manager shall be submitted to Bapepam-LK through the Investment Manager for approval in order to fulfill the provisions number 2 letters a, b, and c of this rule.
 - g. Provision as meant in letter f as mentioned above is not applicable for Investment Manager that is also an Issuer or a Public Company provided such changing of shareholders is not causing the changing of control either directly or indirectly.

If the changing of shareholders of Investment Manager that is also an Issuer or Public Company causes the changing of control directly or indirectly, the candidate of controller shall submit application for approval to Bapepam-LK through the Investment Manager in accordance with provision letter f above.

- h. Application of planning for changing of shareholders as meant in letter f and application for approval by candidate of controller as meant in letter g shall be accompanied with documents as meant in provision number 5 letter b points 7), 8) and 15).
- i. In order to determine whether to approve or reject the planning for changing the shareholders or application for candidate of controller as meant in letter g, Bapepam-LK shall conduct assessment as meant in number 5 letter d and e.
- j. Planning for changing the composition and or replacement of member director and or a commissioner shall be submitted to Bapepam-LK through the Investment Manager for approval before the particular candidate is approved by Shareholders General Meeting.
- k. Application of planning for changing the composition and or replacement of member of:
 - 1) director shall be accompanied with documents as meant in number 5 letter b points 6), 10), 11), 19), 20), 21), 23), 24) and 30); and or
 - 2) board of commissioner shall be accompanied with documents as meant in number 5 letter b points 6), 10), 19), 22), 23) and 24).
- l. In order to determine whether to approve or reject the planning for changing the composition and or replacement of director and or commissioner as meant in letter i, Bapepam-LK shall conduct assessment as meant in number 5 letter d.
- m. Investment Manager shall submit to Bapepam-LK any result of Shareholders General Meeting in relation with changing of shareholders, that requires approval from Bapepam-LK, director and or commissionaire, ot later than 7 (seven) working days after the commencement date of Shareholders General Meeting.

7. REVOCATION OF BUSINESS LICENSE

- a. Business license of a Securities Company as an Investment Manager may be revoked by Bapepam-LK based on the following circumstances:
 - 1) the business license is returned to Bapepam-LK by the Investment Manager;
 - 2) violation against Capital Market rules and regulations has occurred; or
 - 3) the Investment Manager is liquidated.
- b. The returning of the Securities Company business license as an Investment Manager as referred to in letter a) point 1 shall meet the following requirements:
 - 1) Investment Manager apply for returning of Securities Company business license as an Investment Manager to Bapepam-LK;
 - 2) plan for the license returning has been approved by the Shareholders General Meeting;
 - 3) Investment Manager has announced plan to return its business license at least in one newspaper with nationwide distribution which contains among other things notification of settlement of rights and obligations; and
 - 4) Investment Manager has completed settlement of its rights and obligations to its clients.
- c. application as mentioned in letter b point 1) shall be attached with the following documents:
 - 1) information about reason for returning the license;
 - 2) approval from Shareholders General Meeting on the plan for returning the business license;
 - 3) a copy of Decision of Chairman of Bapepam-LK regarding business license of Securities Company as an Investment Manager;
 - 4) proof of announcement regarding plan to return its business license at least in one newspaper with nationwide distribution which contain such as notification of settlement of rights and obligations; and
 - 5) report on settlement of rights and obligations of the Investment Manager to its clients along with the supporting documents.
- d. Investment Manager that has more than one business licenses and wishes to return one of its business licenses may do so.
- e. In case that an Investment Manager is also an Issuer or a Public Company, the filing process for returning business license shall meet requirements regarding Issuer and Public Company.
- f. Violations of laws and regulations in the Capital Market referred to in letter a point 2) is:
 - 1) Administrative violations include but are not limited to the following conditions:
 - a) Investment Manager's office was not found;
 - b) Investment Manager's office was found, but within 2 (two) consecutive years the Investment Manager has not conducted business as an Investment Manager;

- c) Investment Manager has no employees; and/or
 - d) The Investment Manager cannot meet applicable regulations within a specific period of time that is given;
- 2) The company has been proved to committing a crime as referred to in Law Number 8 Year 1995 concerning Capital Market.
8. In the case of a Securities Company business license is revoked for reasons referred to in number 7 letter a point 1) and point 2) and resulted in Securities Companies no longer have Securities Company licenses as an Underwriter, Broker-Dealer and Investment Manager, the Securities Company is prohibited to use the company name and logo for any purpose and activities, except for activities related to liquidation of the company.
9. By no means of undermining criminal provisions in capital market, Bapepam-LK may impose sanctions against any violation of this rule, as well as against any Person who causes such violation to occur.

Enacted in: Jakarta

Dated: December 31, 2009

**Chairman of Capital Market and
Financial Institutions Supervisory Agency**

Signed

A. Fuad Rahmany

NIP 060063058

Based on the original document

Acting. Head of General

Signed

Kristrianti Puji

Rahayu NIP

060089892