

ATTACHMENT VII TO  
REGULATION OF THE COMMISSION FOR  
THE SUPERVISION OF BUSINESS COMPETITION  
NUMBER 1 YEAR 2019  
REGARDING  
PROCEDURES FOR HANDLING MONOPOLISTIC  
PRACTICE AND UNFAIR BUSINESS COMPETITION  
CASES

PROVISIONS ON THE FORMAT OF THE COMMISSION DECISION

1. Provisions of the format of the Commission Decision herein constitute a reference in preparing a Commission Decision regarding the violation of Law Number 5 Year 1999.
2. The preparation of the Commission Decision by the Commission Panel shall be assisted by a Clerk .
3. The format of the Commission Decision as intended herein shall contain general matters that need to be indicated and the form of the Commission Decision.
4. The difference of the content of the Commission Decision signed by the Commission Panel and the Clerk from the format as indicated herein shall not immediately cause the said Commission Decision to be formally defective.
5. The composition of the Commission Decision shall consist of the following:
6. The Head Part
  - 1) The Commission Decision shall use heading papers with the Logo of Eagle on the upper part;
  - 2) The inscription "DECISION" shall entirely be written in uppercases and shall be written symmetrically below the letter head;
  - 3) The case number shall be written symmetrically below the inscription "DECISION".
- a. The Opening Part shall contain the alleged violation, names of reported parties, and follow-ups that have been taken by the Commission Panel;
- b. Regarding the Merits of the Case
  - 1) The inscriptions "REGARDING THE MERITS OF THE CASSE" shall be entirely written in uppercases without spaces between the letters and shall be written symmetrically;
  - 2) Each content/elucidation regarding the merits of the case shall be provided with a serial number.
- c. Regarding the Law
  - 1) The inscriptions "REGARDING THE LAW" shall entirely be written in uppercases without spaces between the letters and shall be written symmetrically;

- 2) Each content/elucidation regarding the law shall be provided with a serial number.
- d. The content of the Commission Decision shall consist of:
  - 1) The Dictum started with the inscriptions "HAS DECIDED" shall be entirely written in uppercases and shall be placed symmetrically;
  - 2) Each order of the Commission Decision shall be provided with a serial number using Arabic numerals.
- e. The Closing Part shall consist of:
  - 1) the day and date of the making of the Commission Decision;
  - 2) the day and date of the reading out of the Commission Decision;
  - 3) the names of the Chairman and members of the Commission Panel and the clerk;
  - 4) the signatures of the Commission Panel and the Clerk as well as affixed with the stamp of the Commission.
7. The numbering of the Commission Decision shall follow the procedures as provided for in Regulation of the KPPU regarding Official Manuscript Management.
8. Provisions on the Format of the Commission Decision shall be as intended in the following example:

EXAMPLE OF THE FORMAT OF THE COMMISSION DECISION



**Commission for the Supervision of Business Competition of the Republic of Indonesia**

**DECISION**  
**Case Number ...../.....**

Commission for the Supervision of Business Competition hereinafter referred to as the Commission has examined .....

.....  
.....

conducted by: .....

1. Reported Party I .....
2. Reported Party II .....
3. Reported Party II .....
4. And so on : .....

made a decision as follows: .....

The Commission Panel: .....

Having read the letters and documents .....

Having read the Report on the Result of the Preliminary Examination .....

Having read the Report on .....

.....

.....

**REGARDING THE MERITS OF THE CASE**

1. Considering whereas.....(alleged violation) .....
  - 1.1. .....
  - 1.2. .....
2. Considering whereas .....
  - 2.1. .....
  - 2.2. .....
3. Considering whereas .....
  - 3.1. .....
  - 3.2. .....
4. Considering whereas .....(responses of the Reported Party/Reported Parties)
  - 4.1. .....
  - 4.2. .....
5. Considering whereas.. .....
- 5.1. .....
- 5.2. .....
6. Considering whereas .....
  - 6.1. .....
  - 6.2. .....
7. Considering whereas .....
  - 7.1. .....
  - 7.2. .....
8. .... (conclusions of the Investigators and the Reported Party/Reported Parties).....
  - 8.1. .....
  - 8.2. .....
9. Considering whereas.. .....
- 9.1. .....
- 9.2. .....
10. Considering whereas.. .....
- 10.1. ....
- 10.2. ....
11. Considering whereas .....

K1 model heading

Numbering of the Case Decision pursuant to Regulation of the KPPU regarding Official Manuscript Management

Narration containing the alleged violation, names of reported parties, and follow-ups that have been taken by the Commission Panel

Instruments of proof used by the Commission Panel as the basis of the Decision

Description regarding the merits of the case to be decided

**REGARDING THE LAW**

After having taken into account .....

- 1. ....(regarding the Identity of the Reported Party/Reported Parties) ...
  - 1.1. ....
  - 1.2. ....
- 2. ....(regarding the object of the case/the Relevant Market)..
  - 2.1. ....
  - 2.2. ....
- 3. ....(regarding the alleged violation).
  - 3.1. ....
  - 3.2. ....
- 4. ....(regarding the facts of the hearing).
  - 4.1. ....
  - 4.2. ....
- 5. ....(regarding the fulfilment of the elements of the alleged violation)..
  - 5.1. ....
  - 5.2. ....

Containing description regarding the Law and consideration of the Commission Panel

**HAS DECIDED**

- 1. ....
- 2. ....

Dictum in the form of the words HAS DECIDED and orders of the decision as well as closing sentence and date of the decision

Thus, this decision has been stipulated in a Deliberation Meeting of the Commission Panel on the day .....and read out before a hearing declared open to the public on the day.....by the Commission Panel consisting of....., as the Chairman of the Commission Panel, ....., as Members of the Commission, respectively, assisted by ....., as the clerk .....

**Chairman of the Commission Panel**

(Signature & stamp of the Commission)

Full Name (without degree)

**Member of the Commission Panel**

(Signature)

Full Name (without degree)

**Member of the Commission Panel**

(Signature)

Full Name (without degree)

Containing the signatures of the Commission Panel and the Clerk

**The Clerk**

(Signature)

Full Name (without degree)

(Signature)

Full Name (without degree)

COMMISSION FOR THE SUPERVISION OF  
BUSINESS COMPETITION  
CHAIRMAN,

KURNIA TOHA