

ATTACHMENT I 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 MINUTES OF PRE-INVESTIGATION

1. Provisions on the format of Minutes of Pre-investigation herein constitute a reference for Examination Investigators in making minutes of examination of Witness/Reported Party/Expert in a pre-investigation process.
2. Minutes of Examination shall be made by the Examination Investigators either those serving at the Head Office or at the Regional Representative Offices.
3. The Format of Minutes of Pre-investigation shall contain general matters that need to be included and the model of the minutes.
4. The difference in the content of the Minutes of Pre-investigation made by the Examination Investigators in the form of Minutes of Pre-investigation as indicated herein shall not immediately result in a formal defect.
5. The composition of Minutes of Pre-investigation shall consist of the following:
 - a. The Head Part
 - 1) The word CONFIDENTIAL shall be inscribed on the upper right corner;
 - 2) The words COMMISSION FOR THE SUPERVISION OF BUSINESS COMPETITION shall be inscribed on the upper left corner, without punctuation mark;
 - 3) The inscriptions "MINUTES OF PRE-INVESTIGATION" shall be inscribed in uppercases and shall be placed symmetrically;
 - 4) The Parties inquired shall be inscribed in uppercases and shall be placed symmetrically below the inscription status or capacity of the parties inquired, namely "REPORTED PARTY/WITNESS/EXPERT".
 - b. The Corpus Part
 - 1) The full identity and capacity/status of the parties inquired;
 - 2) The column of the question and answer results between the investigators and the inquired parties;
 - 3) Other information needed.
 - c. The Foot Part
 - 1) The full name and signature of the inquired parties;

- 2) The full name and signature of the investigators joined in the Pre-investigator Team by virtue of a Letter of Assigning.
6. Matters that need to be observed
 - a. The paper media used for the making of the Minutes of Pre-investigation shall be A4- or F4-sized paper.
 - b. The first page of the Minutes of Pre-investigation shall not use a paper with the heading or a paper with the logo of the Secretariat of the KPPU or the logo of the Eagle Symbol.
 - c. The Minutes of Pre-investigation shall not be affixed with an official stamp.
 - d. The Minutes of Pre-investigation shall not indicate the number and the code of the position of the signatories.
7. The example of the Format of the Minutes of Pre-investigation shall be as follows:

EXAMPLE OF THE FORMAT OF MINUTES OF PRE-INVESTIGATION

CONFIDENTIAL

COMMISSION FOR THE SUPERVISION OF BUSINESS
COMPETITION OF THE REPUBLIC OF INDONESIA

MINUTES OF PRE-INVESTIGATION
(REPORTED PARTY/WITNESS/EXPERT)
(THE PARTY INQUIRED)

On this day, **(day of the implementation of pre-investigation)**, dated **(pre-investigation implementation date)**, at **(pre-investigation implementation time)**, taking place at **(pre-investigation implementation venue)**.....

Pre-investigator Team:

1. **Name** : (name of pre-investigator)
As : **(Position of pre-investigator)**
2. **Name** : (name of pre-investigator)
As : **(Position of pre-investigator)**

Based on Summons (summons number), dated (date of summons), has summoned:.....

(Position of the Party inquired)
(The Party inquired)
(Address of the party inquired)

In the presence of:

Name	:	
Place/Date of Birth	:	
Position	:	
Office Address	:	
Home Address	:	
Resident's ID Card/Driver's License/Passport No.	:	
Tel. No.	:	

Accompanied by

Name	:	
Place/Date of Birth	:	
Position	:	
Office Address	:	
Home Address	:	
Resident's ID Card/Driver's License/Passport No.	:	
Tel. No.	:	

The relevant person mentioned above is examined or inquired as **(status/capacity of the party inquired)** in a Pre-investigation (pre-investigation number) with regard to (description of the alleged violation).....

Based on the questions raised by the Pre-investigator Team, (the Witness/Expert/Reporting Party/Reported Party) inquired answers and provides information among other things as follows:

1.	Question	:	
	Answer	:	
2.	Question	:	
	Answer	:	
3.	Question	:	
	Answer	:	
4.	Question	:	
	Answer	:	

This Minutes of Pre-investigation is made at the commencement time of the Pre-investigation up to the completion of the Pre-investigation, furthermore, prior to the signing of this Minutes by the Pre-investigator Team,

Head Part of the MoP

Containing the capacity of the party inquired party and the party inquired

Containing the day, date, time, and venue of the pre-investigation

Containing the name and position of the pre-investigator

Containing the summons number and date

Containing the position, the party, and address of the party inquired

Containing the identity of the party providing information

Containing the status of the party inquired, pre-investigation number, and description of the alleged violation

Containing the description of questions and answers during the pre-investigation process

(the party inquired) first reads out.
.....

After (the party inquired) states the same and in accordance with that as set forth in this Minutes of Pre-investigation, then, in order to confirm and justify the said deposition (the party inquired) affixes his/her signature below:.....

The inquired Party,

(Signature)

Full Name (without degree)

Thus, this Minutes of Pre-investigation has been made truthfully, subsequently, is closed and signed in Jakarta, on the date, month, and year as mentioned above.

Pre-investigator Team,

(Signature)	(Signature)	(Signature)
Full Name (without degree)	Full Name (without degree)	Full Name (without degree)

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Containing the signature and name of the party inquired

Containing the signature and name of the pre-investigator team

COMMISSION FOR THE SUPERVISION
OF BUSINESS COMPETITION
CHAIRMAN,

KURNIA TOHA