

ATTACHMENT II 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 SUMMONS FOR PRE-INVESTIGATION

1. Provisions of the format of Summons for Pre-investigation herein constitute a reference for Examination Investigators in making summons for parties who will be inquired in a pre-investigation process.
2. The format of Summons for Pre-investigation shall contain general matters that need to be indicated in the letter, provisions on numbering, and the use of paper.
3. Summons for Pre-investigation shall be drawn up by the Examination Investigators either those serving at the Head Office or at the Regional Representative Offices.
4. The difference of the Summons for Pre-investigation made and signed by the Examination Investigators from the format as indicated herein shall not immediately result in a formal defect.
5. The composition of Summons for Pre-investigation shall consist of the following:
  - a. The Head
    - 1) The Summons shall use heading papers with the logo of the Secretariat on the upper side of the papers and address on the lower side of the papers.
    - 2) The inscription “summons” shall be indicated in the heading of the letter inscribed in uppercases.
    - 3) The Summons Number shall be inscribed in uppercases symmetrically below the inscription “summons”.
  - b. The Corpus  
The corpus part of the Summons shall consist of consideration element, legal bases, and objective of the summons.
  - c. The Foot  
The foot part of the Summons shall consist of:
    - 1) The venue and date of the making of the Summons.
    - 2) The name of position, signature, and full name of the official signing the Summons.
    - 3) A warning clause inscribed in a box on the lowest part shall contain a sanction threat for parties not appearing or cooperating with the Commission. This provision shall be exempted from a party summoned whose position is an Expert.
6. Numbering


The number of the Summons for Pre-investigation shall follow the procedures as provided for in Regulation of the KPPU regarding Official Manuscript Management.

7. Example of the Format of Summons for Pre-investigation

The Format of Summons for Pre-investigation shall be as indicated in the following example:

CONTOH 38 ...

EXAMPLE OF THE FORMAT OF SUMMONS FOR PRE-INVESTIGATION

 <p><b>COMMISSION FOR THE SUPERVISION OF BUSINESS COMPETITION OF THE REPUBLIC OF INDONESIA</b> <b>COMMISSION SECRETARIAT</b></p>	S3 model heading paper
<p>SUMMONS NUMBER ...../.....</p>	Summons number pursuant to the Official Manuscript Management Commission Regulation
<p>CONSIDERATION : whereas in the context of Pre-investigation Number .../Lid-.../.../20..., it is necessary to summon someone or several persons to be inquired.</p>	Containing the consideration bases of the Summons
<p>BASES : 1. Article 36 sub-articles e, f, and g of Law No. 5 Year 1999 ..... 2. Article ... of Regulation of the Commission ..... 3. Letter of Assigning Number ...;</p>	Containing the legal bases for the summons
<p>SUMMONING:  Full Name of the Party Summoned Position of the Party Summoned Full Address</p>	Name, position, and full address of the party to be summoned
<p>TO : Appear before the Pre-nvestigator Team of the Commission for the Supervision of Business Competition (<b>Name of Investigator</b>) at (<b>venue of pre-investigation/examination</b>), on this day (<b>day</b>) dated (<b>date, month, year</b>), at (<b>time of examination</b>) to be inquired as (<b>status of the party</b>) in Pre-investigation Number .../Lid-.../.../20... regarding (<b>title of pre-investigation</b>).</p>	Objective of the summons and capacity of the Party summoned
<p>(<b>Name of city</b>), (<b>date, month, year</b>)  On behalf of the Deputy for Law Enforcement Investigation Director, p.p. Task Force Coordinator</p>	Venue and date of the making of the Summons
<p>(Signature and Official Stamp)  Full Name</p>	Name of position and full name inscribed with the initial letter in uppercases without degree
<p><b>ATTENTION:</b> The Parties not appearing and cooperating with the Commission for the Supervision of Business Competition after being summoned properly may be handed over the Investigators to be investigated in accordance with the applicable laws and shall be subject to a minimum fine of IDR1,000,000,000.00 (one billion Rupiah) and a maximum fine of IDR5,000,000,000.00 (five billion Rupiah) or a maximum imprisonment of 3 (three) months in place of the fine  (Articles 41 and 48 paragraph 3 of Law No. 5 Year 1999)</p>	Containing a warning. Especially the summons for the party as Expert, warning is not indicated
<p>Jalan Ir. H. Juanda No. 36, Jakarta Pusat 10120 Telephone (021) 3507015. 3507016. 3507043. Facsimile (021) 3507008</p>	

COMMISSION FOR THE SUPERVISION OF  
BUSINESS COMPETITION  
CHAIRMAN,

KURNIA TOHA