

COMPILATION

Law No. 6 of 1982 Concerning Copyright

As Amended By Law No. 7 of 1987

And

Their Implementing Regulations

Directorate General of
Copyrights, Patents and Trademarks
Ministry of Justice
Jakarta

LAW NO. 6 OF 1982 CONCERNING COPYRIGHT
AS AMENDED BY LAW NO. 7 OF 1987

CHAPTER I
GENERAL PROVISIONS

Part One
Meaning of Several Terms

Article 1

Under this law :

- a. Author, shall mean a person or several person jointly upon his/their inspiration has/have produced a creation based on intellectual capability, imagination, dexterity, adroitness or skilfulness, which has been manifested in a distinctive form and is personal in nature;
- b. Copyright Holder shall mean the author as owner of the copyright, or any person having received such right from the Author, or any other person having further received such right from the aforesaid person;

/c. Work ---

- c. Work shall mean the result of an author's work in any distinctive form whatsoever, in the field of science, arts and literature;
- d. Publicity shall mean the reading, announcement, broadcasting, or spreading of a work by utilizing whatever means and in such manner so that such work could be read, heard or seen by any other person;
- e. Reproduction shall mean to increase the amount of a creation in the same or similar manner or in a manner resembling such creation by using the same or different materials, including to reshape a creation.
- f. Photograph shall mean any picture taken by whatever means and with whatsoever equipment of the face of a person which has been portrayed either together with or without other parts of the body;
- g. Computer program shall mean a program which has been specially created to enable a computer to carry out certain functions.

Part Two
Function and Nature of Copyright

Article 2

Copyright shall mean the exclusive right of the author or the recipient of a right to publish or reproduce his works, or to give permission therefor without prejudice to the restrictions pursuant to the prevailing laws and regulations.

Article 3

1. A copyright shall be deemed as a movable object.
2. A copyright may be assigned in whole or in part due to :
 - a. inheritance;
 - b. legacy;
 - c. testamentary will;
 - d. becomes state property;
 - e. an agreement made by a deed, provided that such agreement only contains the authority as contained in such deed.

Article 4

A copyright which is owned by the author, likewise any copyright which has never been published and upon the demise of the author concerned becomes the property of the heir or beneficiary, cannot be confiscated.

Part Three
A u t h o r

Article 5

1. Unless proved otherwise, the person deemed as the author shall be:
 - a. the person whose name is registered in the general register of copyright and in the official publication concerning registration at the Ministry of Justice as meant in Article 29.
 - b. the person whose name is contained in a work or announced as the author of a work.
2. Unless proved otherwise, the person presenting a lecture shall be considered as the author if such lecture is made verbally and there is no notification of the author's name.

Article 6

In the event a work consists of several separate parts created by two or more persons, then the author shall be the person who has directed and supervised the full completion of such work, or if there is no such person, the person compiled the same, without prejudice, to the copyright of the respective parties on their portion of the work.

/Article 7 ---

Article 7

In the event a work is designed by an individual, and worked out and materialized by another person under the direction and supervision of the designer, then the author shall be the designer of such work.

Article 8

1. In the event a work is created within the framework of an official relationship with another party in the same work environment, then the party for whom and under whose jurisdiction such work is created, shall be the copyright holder, unless another arrangement has been made between the two parties, without prejudice to the right of the producer as author if the utilization of such work exceeds the official relationship.
2. In the event a work is produced in the frame work of a work relationship with another party within the same work environment, then the party producing such design as the author shall be the copyright holderr, unless agreed otherwise by both parties.

Article 9

In the event a legal entity announces that a work originates from it without stating any individual as the author, then such legal entity shall be deemed as the author of such work, unless proved otherwise.

Part Four
Copyright of Works of Unknown Authors

Article 10

- (1) The state shall hold the copyright of prehistorical and historical works and other national cultural objects.
- (2) a. Cultural products of society which become common property such as folklores, narratives, fairytales, legends, chronicles, folksongs, handicraft, choreography, folkdances, calligraphy and other art works shall be preserved and protected by the state.

b. The state shall hold the copyright on works referred to in paragraph 2 (a) of foreign countries:
- (3) Further provisions concerning copyrights held by the state as meant in this Article shall be further regulated by Government Regulations.

Article 10A

If the author of a work is unknown, the State shall hold the copyright on such work, unless proved otherwise

/Part Five ---

Part Five
Works Protected by Copyright

Article 11

- (1) Under this law, works which are protected shall be works in the field of science, arts and literature which cover the following :
- (a) Books, pamphlets and all other written works;
 - (b) Discourses, lectures, speeches, etc;
 - (c) Performances such as music, Javanese gamelan music (karawitan), dramas, dances, puppet shows (wayang), pantomimes, and broadcasting work inter alia for radio, television, and film, as well as video recordings;
 - (d) Choreography, songs and music compositions with or without lyrics and voice or sound recordings;
 - (e) All forms of arts and crafts such as paintings, sculptures, statues and calligraphy for which protection is regulated in Article 10 paragraph (2);
 - (f) Batik art;
 - (g) Architectural works;
 - (h) Maps;
 - (i) Cinematographical works;
 - (j) Photographical works;
 - (k) Computer Programs;
 - (l) Translations, interpretations, adaptations, and compilation of anthologies.

- (2) Translations, interpretations, adaptation, films, recordings, music arrangements, compilation of several works and other methods of reproduction in the form of modification of the original works, shall be protected as separate works, without prejudice to the copyright of the original works.
- (3) Protection as referred to in paragraph (1) and paragraph (2), shall include all works which have not or are not yet published, however, constitutes a concrete entity which allows the reproduction of such works.

Article 12

No Copyright shall be given on :

- (a) The results of any open meetings of the Highest State Institutions and Higher State Institutions as well as other constitutional institutions;
- (b) laws and regulations;
- (c) court judgements and judicial decrees;
- (d) state addresses and speeches of government officials;
- (e) arbitral awards.

/Part Six ---

Part Six
Restriction on Copyright

Article 13

The following shall not be deemed as infringement of copyright :

- (a) Publication and reproduction of the state symbol and national anthem according to the original form;
- (b) Any and all publications and reproductions by or on behalf of the government, unless such copyright is declared to be protected either by the rules and regulations or with a notice on the work itself or upon the publication of such work;
- (c) Any excerpt, either partially or in full, of news items from news agencies, radio or television broadcasting agencies and newspaper after 1 x 24 (one times twenty-four) hours as of the publications of such news item and its source must be stated in full.

Article 14

Provided that the source is stated in full, the following shall not be deemed as infringement of copyright :

- (a) The excerpt of a creation of any other party up to 10 % (ten percent) of the aggregate entity of such creation, as material to elucidate a matter which is being presented;

- (b) The excerpt of a creation of any other party either partially or in full for defense purposes within or outside the court of justice;
- (c) The excerpt of a creation of any other party either partially or in full for :
 - 1. lectures which are held solely for the purpose of education and science;
 - 2. Free-of-charge exhibitions or displays.
- (d) Reproduction of any work in braille in the field of science, arts and literature for the blind, unless such reproduction is for commercial purposes;
- (e) Limited reproductions of a work by photocopy or any similar process by a public library, scientific or educational institution or a non-commercial documentation center solely for its activities;
- (f) Modification of any architectural works such as a construction design on the basis of technical considerations;
- (g) Making a reserve copy of a Computer Program by the owner of the Computer Program solely for personal use.

Article 15

(1) For the interest of educations, science, research and development activities, any work which is given copyright protection and for 3 (three) years as of its publication such work has not been translated into Indonesian or reproduced in the territory of the Republic of Indonesia, the Government may after having heard the considerations of the Copyright Council :

- (a) Obligate the Copyright Holder to undertake the translation and/or reproduction of such work himself in the territory of the Republic of Indonesia within a specific period.
- (b) Obligate the relevant Copyright Holder to permit any other person to translate and/or reproduce such work in the territory of the Republic of Indonesia within a specific period, in the event the relevant Copyright Holder does not undertake himself or declares his unwillingness to undertake himself the obligation as referred to in letter a.
- (c) Undertakes the translation and/or reproduction of such work himself, in the event the Copyright Holder does not perform his obligation as referred to in letter b.

- (2) The implementation of the provisions referred to in paragraph (1) letter b and letter c shall include a renumeration of which amount shall be determined by the Government.
- (3) Further implementation of the provisions as referred to in paragraph (1) and paragraph (2) shall be regulated by the Government Regulation.

Article 16

The Government, after having heard the consideration of the Copyright Council, may prohibit the publication of each work which contravenes government policies in the field of national defense and security, morality as well as public order.

Article 17

- (1) Any publication of a work through radio or television broadcasts conducted by the Government for national interest may be made without requiring the prior consent of the Copyright Holder, provided that such Copyright Holder is given reasonable compensation.
- (2) Any radio or television broadcasting agency which is authorized to publicize a work as referred to in paragraph (1), shall be authorized to preserve such work by using its own equipment and solely for its own radio or

television broadcast, provided that such broadcasting agency shall give reasonable compensation to the relevant Copyright Holder for subsequent broadcasts.

Article 18.

- (1) The Copyright Holder of a photograph of an individual shall, for the purpose of reproducing or publishing such work, obtain the prior consent of the person portrayed, or within 10 (ten) years time after the demise of the person so portrayed, the consent of his heirs.
- (2) In the event a photograph contains 2 (two) or more persons, then, for the reproduction or publication of each person so portrayed, if such publication or reproduction also contains other person in the photograph, the copyright holder must obtain the prior consent of those portrayed, or within 10 (ten) years after the demise of the persons concerned, must obtain the consent of the respective heirs.
- (3) This article shall only apply to photographs taken :
 - (a) upon the personal request of the person portrayed;
 - (b) upon a request made on behalf of the person portrayed;
 - (c) for the interest of the person portrayed.

Article 19

In the event a photograph is taken :

- (a) without the consent of the person portrayed;
- (b) without the consent of another person on behalf of the person portrayed;
- (c) not in the interest of the person portrayed;

then Copyright Holder of such photograph shall not be allowed to publish the same, if such publication contravenes the proper interest of the person portrayed, or if such person has passed away, the proper interest of any of his heirs.

Article 20

Unless declared otherwise by the person concerned, any photograph of one or more actors in a public performance for the purpose of publicity, even though such performance is commercial in nature, shall not be considered as a copyright infringement.

Article 21

For the interest of public order and/or for the purpose of criminal court proceedings, the photograph of a person in any condition whatsoever may be reproduced and published by the competent authorities.

/Article 22 ----

Article 22

Unless otherwise agreed between the Copyright Holder and owner of a work in the form of a photograph, painting, picture, architectural work, sculpture or any other art works, the owner shall be entitled, without the consent of the copyright holder, to display the work in an exhibition for the public, or to reproduce the same in a catalogue, without prejudice to the provisions in Article 18 and Article 19, in the event such art work is in the form of a photograph.

Article 23

Unless otherwise agreed between the author and copyright holder, the author of any sculpture or painting shall remain entitled to produce the same work, even though the author has assigned the copyright to another person.

Article 24

- (1) The author or his heirs shall be entitled to demand the copyright holder to include the author's name on his work.
- (2) (a) It is prohibited to make any changes on a work, except with the consent of the author or his heirs.
(b) In the event the author has assigned his copyright to another person, then, any changes to be made shall require the consent of the author during his lifetime and the consent of his heirs after his demise.

- (3) The provisions referred to in paragraph (2), shall also apply to any change in the title or subtitle of any work, insertion and change of name or pseudonym of the author.
- (4) The author shall remain entitled to make any changes on his work in accordance with public propriety.

Article 25

- (1) The copyright of a work shall remain with the author concerned so long as the entire copyright has not been assigned to the buyer.
- (2) Any copyright which has been sold either completely or partially shall not be sold for the second time by the same seller.
- (3) In the event a dispute arises between several buyers of the same copyright of a work, then protection shall be given to the buyer having first obtained such copyright.

CHAPTER TWO
DURATION OF COPYRIGHT

Article 26

(1) Copyright on the following works :

- (a) books, pamphlets and all other written works;
- (b) choreography;
- (c) all forms of arts and crafts such as paintings, sculptures and statues;
- (d) batik arts;
- (e) songs and musical compositions with or without lyrics;
- (f) architectural works.

shall be valid for the lifetime of the author and shall remain valid for 50 (fifty) years after the death of the author.

(2) For works referred to in paragraph (1) which are owned by 2 (two) or more persons, the copyright shall be valid for the lifetime of the surviving author and shall remain valid for 50 (fifty) years after the death of such author.

Article 27

(1) Copyright on the following works :

- (a) performances such as music, folk songs, dramas, dances, puppet shows, pantomimes and broadcast works, inter alia for radio, television and film as well as video recordings;

(b) discourses, lectures, speeches, etc.;

(c) maps;

(d) cinematographic works;

(e) voice or sound recordings;

(f) translation and interpretation;

shall be valid for 50 (fifty) years as of the first publication.

(2) Copyright on the following works :

(a) photographic works;

(b) computer programs;

(c) adaptations and compilations of anthology;

shall be valid for 25 (twenty five) years as of the first publication.

(3) The copyright on works referred to in Article 26 paragraph (1) and Article 27 paragraph (1) which are owned or held by a legal entity, shall be valid for 50 (fifty) years as of the first publication, except for Copyright referred to in Article 27 paragraph (2) which shall be valid for 25 (twenty five) years.

Article 28

(1) The term of the copyright of a work which has been published part by part shall be effective as of the date of publication of the last part.

- (2) In determining the terms of the copyright of a work which consists of 2 (two) volumes or more, including summaries and news items which are not printed simultaneously, then each volume or summary and news item shall be deemed as a separate work.

CHAPTER III REGISTRATION OF COPYRIGHT

Article 29

- (1) The Ministry of Justice shall conduct the registration of works in the general register of copyright and official publication concerning such registration.
- (2) Such general register of copyright may be inspected by any person free of charge at the Ministry of Justice.
- (3) Any person may obtain for his own use an excerpt from such general register of copyright by paying the fee which has been determined by the Minister of Justice.

Article 30

The registration of a copyright in the general register of copyright shall not be construed as a ratification on the contents, meaning or shape of such copyright.

/Article 31 ---

Article 31

- (1) The registration of a copyright in the general register of copyright shall be made upon the submission of an application by the author or copyright holder.
- (2) The application for the registration of a copyright shall to be submitted in duplicate and in the Indonesian language the Minister of Justice along with :
 - (a) the registration fees as determined by the Minister of Justice ;
 - (b) a sample or duplication of the work.
- (3) Further provisions concerning the registration of a copyright shall be stipulated by the Minister of Justice.

Article 32

The application for registration of a copyright which has been made on behalf of more than one persons and/or legal entities shall be allowed provided that such persons or legal bodies are jointly entitled or have stated their agreement in writing that they are jointly entitled to such work and a certified copy of such deed or written statement evidencing such matter must be submitted to the Ministry of Justice which conducts such registration.

/Article 33 ---

Article 33

The general register of copyright shall contain inter alia :

- (a) date of receipt of the application;
- (b) date of completion of requirements pursuant to the provisions of Article 31;
- (c) copyright registration number.

Article 34

- (1) The registration of a copyright shall be deemed to be made upon the receipt of the registration application at the Ministry of Justice in full, pursuant to the provisions of Article 31, or upon receipt of the registration application in full pursuant to the provisions of Article 31 and Article 32 if the registration application is filed by more than one person or entities as referred to in Article 32.
- (2) The registration referred to in paragraph (1) shall be published in the Supplement to the State Gazette of the Republic of Indonesia by the Ministry of Justice.
- (3) In the event a registration application is filed in full as meant in paragraph (1) within 1 (one) year following the first publication of a work, then such registration application shall be deemed to have been filed at the time of the first publication of such work.

/Article 35 ---

Article 35

- (1) The assignment of right of a copyright registration which has been registered in accordance with Article 33 under one number, shall be permitted if all rights on the entire copyright registered therefor is assigned to the assignee.
- (2) Such assignment of right shall be recorded in the general register of copyright upon the written request of both parties or the assignee.
- (3) The Minister of Justice shall determine the fee for the registration of such assignment of right.
- (4) The registration of such assignment of right shall be published in the Supplement to the State Gazette of the Republic of Indonesia by the Ministry of Justice.

Article 36

- (1) If a copyright which has been registered in accordance with Article 31 and Article 33 does not comply with the provisions referred to in Article 13, Article 14, letters a, b, c, e, f and g, Article 19, Article 20, Article 21 and Article 23, then another person who pursuant to Article 2 is entitled to the copyright may institute a legal proceeding at the District Court of Central Jakarta by submitting a claim signed by the applicant himself or his attorney, for the cancellation of such copyright registration.

- (2) Such claim must be filed by the plaintiff within 9 (nine) months after publication in the Supplement to the State Gazette of the Republic of Indonesia as meant in Article 34.
- (3) Upon the expiry of the time limit referred to in paragraph (2), such claim for cancellation of the copyright registration may still be filed if the right of the plaintiff is evidenced by a court judgement which has obtained permanent legal force.

Article 37

- (1) Any change of name or address of a person or legal entity whose name has been registered in the general register of copyright as the author or copyright holder, shall be recorded in the general register of copyright upon the written request of the author or copyright holder of such name and address, and payment of the fees as determined by the Minister of Justice.
- (2) Such change of name or address shall be published in the Supplement to the State Gazette of the Republic of Indonesia by the Ministry of Justice.

Article 38

The legal force of a copyright registration shall terminate due to :

- (a) abrogation upon the request of the person or legal entity whose name is registered as the author or copyright holder;
- (b) expiry of the time frame as referred to in Article 26, and with due observance to Article 27 and Article 28;
- (c) declared as cancelled by a court judgement which has obtained permanent legal force.

CHAPTER FOUR

COPYRIGHT COUNCIL

Article 39

- (1) In order to assist the Government in providing information and guidance as well as in the development of copyright a Copyright Council shall be established.
- (2) The members of the Copyright Council comprise of representatives from the relevant government agencies and departments as well as representatives from organizations in the relevant fields of expertise or profession.
- (3) The requirement of the author's organization to have its representative in the Copyright Council, the number of representatives and requirements therefor, shall be stipulated by the Government Regulation.
- (4) The appointment of experts or representatives of professionals in the field of copyright and any addition to the membership shall be decided by the Government jointly with members representing his or her organization.

Article 40

- (1) The Chairman, Vice Chairman, Secretary, Deputy Secretary and other members of the Copyright Council shall be appointed and dismissed by the President upon the proposal of the Minister of Justice.
- (2) Further provisions concerning the duties, functions, composition, work procedure, expenditure and procedure to fill any vacancy in the Copyright Council shall be stipulated by the Government Regulation.
- (3) The expenditure of the Copyright Council as referred to paragraph (2), shall be charged to the Expenditure Budget of the Ministry of Justice.

CHAPTER FIVE

RIGHT AND AUTHORITY TO CLAIM

Article 41

Any assignment of copyright on a work in its entirety to another person or entity shall not detract the right of the author or his heirs to claim any person who has, without obtaining his consent :

- (a) eliminated the author's name which has been included in such work;
- (b) included the author's name in such work;
- (c) replaced or changed the title of such work;
- (d) modified the contents of such work.

Article 42

- (1) A copyright shall provide the right to seize any object which has been published in contravention with such copyright and has been reproduced illegally, in a manner and with due observance to the provisions which have been stipulated for the seizure of movable objects, for the purpose of either claiming the delivery of such object as one's own possession or to claim the destroyal or mutilation of such object so that it could no longer be used. Such copyright shall also provide a similar right to seize and claim the amount of admission fees collected for attending a lecture, performance or exhibition in defiance of the said copyright.
- (2) In the event the delivery of an object as referred to in paragraph (1) is claimed, then the judge may instruct that such delivery shall be only effected upon the payment of compensation by the plaintiff to the party in good faith.
- (3) If the work as referred to in Article 11 constitutes an infringement, the Copyright Holder shall be entitled to file a claim to the District Court, without prejudice to any criminal proceedings againts the infringement of such Copyright.
- (4) To prevent any further damages to the party whose right has been infringed, the judge may instruct the infringer

to cease production activities, reproduction, broadcasting, distribution and sale of the work or goods resulting from the Copyright infringement.

Article 43

- (1) The right of the copyright holder as referred to in Article 42 shall not apply to any object
a person who does not trade such object and has acquired it for his own use.
- (2) The claim as referred to in Article 42 paragraph (3) may only be filed against an infringer who has deliberately infringed such copyright.

CHAPTER SIX

CRIMINAL PROVISION

Article 44

- (1) Whosoever having deliberately and without any right published or reproduced a work or has granted license therefor, shall be sentenced to imprisonment for a maximum of 7 (seven) years and/or a fine of Rp. 100.000.000,- (one hundred million rupiah) at the maximum.

/(2) Whosoever ---

- (2) Whosoever having deliberately broadcasted, exhibited, distributed or sold to the public a work or goods resulting from the infringement of a Copyright as referred to in paragraph (1), shall be sentenced to imprisonment for a maximum of 5 (five) years and/or a fine of Rp. 50.000.000,- (fifty million rupiah) at the maximum.
- (3) Whosoever having deliberately violated the provisions of Article 16 shall be sentenced to imprisonment for a maximum of 3 (three) years and/or a fine of Rp 25.000.000,- (twenty five million rupiah) at the maximum.
- (4) Whosoever having deliberately violated the provisions of Article 18 shall be sentenced to imprisonment for a maximum of 2 (two) years and/or fine of Rp. 15.000.000,- (fifteen million rupiah) at the maximum.

Article 45

Any work on goods resulting from the infringement of a copyright shall be confiscated by the State to be destroyed.

Article 46

A criminal offense as referred to in Article 44 shall mean crime.

CHAPTER SIX A
I N V E S T I G A T I O N

Article 47

- (1) Certain Civil Government Officers within the Ministry of Justice shall be given special authority as an Investigator as referred to in Law No. 8 of 1981 concerning Criminal Procedural Law, to conduct investigation on criminal offenses in the field of Copyright.
- (2) The investigator as referred to in paragraph (1) shall be authorized to :
 - (a) examine the truth of reports or information pertaining to criminal offenses in the field of Copyright;
 - (b) examine each person suspected of committing any criminal offense in the field of Copyright;
 - (c) request information and evidence from any person or entity with respect to an event of criminal offense in the field of Copyright;
 - (d) inspect books, records and other documents pertaining to any criminal offense in the field of Copyright;
 - (e) inspect certain places suspected to contain evidence of books, records and other documents and to confiscate goods and materials resulting from the infringement which could be used as evidence in the criminal case in the field of Copyright;

/(f) request ---

- (f) request the assistance of experts for the performance of investigation of criminal offense in the field of Copyright.
- (3) The investigator as referred to in paragraph (1) shall notify the commencement of the investigation and shall convey the results of his investigation to the Public Prosecutor in accordance with provisions stipulated in Law No. 8 of 1981 concerning Criminal Procedural Law.

CHAPTER SEVEN

CLOSING PROVISIONS

Article 48

This law shall apply to :

- (a) All works of Indonesian citizen legal entities;
- (b) All works of non-Indonesian citizens, residents and non-Indonesian legal entities which have been published for the first time in Indonesia;
- (c) All works of non-Indonesian citizens, residents and non-Indonesian legal entities with the provision that :
 - 1. The relevant countries have entered into a bilateral agreement concerning copyright protection with the Republic of Indonesia; or

/2. The relevant ---

2. The relevant countries and the Republic of Indonesia constitute a party or participant in the same multilateral agreement concerning copyright protection.

Article 49

This law shall be effective as of date of its stipulation. In order for every person to be knowledgeable of this law, it is hereby ordered that this law shall be set out in the State Gazette of the Republic of Indonesia.

Ratified in Jakarta

on April 12, 1982

PRESIDENT OF THE REPUBLIC OF INDONESIA

(Signed)

S O E H A R T O

Stipulated in Jakarta

On April 12, 1982

MINISTER/STATE SECRETARY
REPUBLIC OF INDONESIA

(Signed)

SUDHARMONO, SH

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 1982 NUMBER 15

REGULATION OF THE MINISTER OF JUSTICE
OF THE REPUBLIC OF INDONESIA

NUMBER : M.01-HC.03.01 YEAR 1987

CONCERNING
REGISTRATION OF COPYRIGHT
THE MINISTER OF JUSTICE OF THE REPUBLIC OF INDONESIA

Considering : That to implement Law Number 6 of 1982 concerning Copyright as amended by Law Number 7 of 1987 concerning Amendment to Law Number 6 of 1982 concerning Copyright, it is necessary to stipulate the Regulations of the Minister of Justice of the Republic of Indonesia concerning Registration of Copyright.

In view : 1. Law Number 6 of 1982 concerning Copyright (State Gazette of 1982 Number 15, Supplement to the State Gazette Number 3217) as amended by Law Number 7 of 1987 concerning Amendment to Law Number 6 of 1982 concerning Copyright (State Gazette of 1987 Number 42, Supplement to the State Gazette Number 3362);

/2. Decree ---

2. Decree of the President of the Republic of Indonesia Number 44 of 1974 concerning Fundamentals of Department Organization;
3. Decree of the President of the Republic of Indonesia Number 124/M of 1984 concerning the Appointment of the Minister of Justice of the Republic of Indonesia;
4. Decree of the President of the Republic of Indonesia Number 29 of 1984 concerning Guidelines for the Implementation of the State Revenue and Budget.

In View of : Letter of the Minister of Finance Number S-1168/MK.011/1987 dated October 12, 1987.

D E C I D E S :

To Stipulate: REGULATION OF THE MINISTER OF JUSTICE OF THE
REPUBLIC OF INDONESIA CONCERNING REGISTRATION
OF COPYRIGHT

CHAPTER I
APPLICATION FOR REGISTRATION OF COPYRIGHT

Article 1

- (1) A copyright registration application shall be submitted to the Minister of Justice through the Director of Copyright in duplicate, written in the Indonesian language on double folio paper.
- (2) The application referred to in paragraph (1) shall contain :
 - a. Name, citizenship and address of the author;
 - b. Name, citizenship and address of the Copyright Holder;
 - c. Name, citizenship and address of the attorney;
 - d. Type and title of the works;
 - e. Date and place in which such work has been announced for the first time;
 - f. Description of the works in three fold.
- (3) The application referred to in paragraph (2) shall be as contained in Enclosure I of this Ministerial Regulation.
- (4) A copyright registration application may be only filed for a single work.
- (5) The application referred to in paragraph (1) shall be signed by the applicant or applicants or by the attorney specifically authorized to file such application along with a sample of the work or its duplicate and a written evidence stating the applicant's citizenship.

- (6) A stamp duty of Rp. 1.000,- (one thousand rupiah) shall be affixed on the first page of the application referred to in paragraph (1).

Article 2

- (1) The name and address referred to in Article 1 paragraph (2) must be written in full.
- (2) If a copyright registration application is submitted in the name of more than one person and or legal entity, all names of the applicants must be stated in writing with one address designated for the applicants.
- (3) If the applicants is a legal entity, an official copy of the articles of association of such legal entity must be attached to the application.

Article 3

- (1) If the application is signed by the Attorney, a Power of Attorney must be attached to such application.
- (2) The attorney referred to in paragraph (1) must be a citizen of the Republic of Indonesia and residing in the territory of the Republic of Indonesia.
- (3) The registration application referred to in paragraph (1) must be accompanied by an evidence of the Attorney's citizenship.

/Article 4 ---

Article 4

If the applicant does not reside in the territory of the Republic of Indonesia, then he must choose his domicile and appoint an attorney in the territory of the Republic of Indonesia for the purpose of a copyright registration application.

Article 5

The applicant shall be given a receipt containing the names of the Author, the Copyright Holder and the Attorney, the type and title of the work, the date and time of receipt of the application, as contained in Enclosure II of this Ministerial Regulation as evidence of the filing of a copyright registration application.

Article 6

- (1) If a copyright registration application does not fulfill the requirements stated in Article 1, Article 2, Article 3, Article 4 and Article 12, the Directorate of Copyright shall on behalf of the Minister of Justice notify the applicant in writing to fulfill such requirements.
- (2) If the applicant within a period of 3 (three) months as from the date of delivery of the notice referred to in paragraph (1) in fact does not fulfill or complete the requirements as stipulated in this Ministerial Regulation, then the application shall be cancelled pursuant to the Law.

Article 7

- (1) A Copyright registration application which has fulfilled the requirements stated in Article 1, Article 2, Article 3, Article 4, and Article 12 of this Ministerial Regulation, shall be subject to an examination by the Directorate of Copyright as to whether the applicant is the actual Author or Copyright Holder or the works for which copyright registration has been requested.
- (2) The results of the examination by the Directorate of Copyright shall be submitted to the Minister of Justice to obtain his decision.
- (3) The decision of the Minister of Justice shall be notified to the Applicant by the Directorate of Copyright.

Article 8

- (1) In the event a copyright registration application is rejected by the Directorate of Copyright, the applicant may submit a petition to the District Court of Central Jakarta by way of a claim signed by the applicant or his attorney so that the copyright for which registration has been requested shall be registered in the general register of copyright with the Directorate of Copyright.
- (2) Such petition to the District Court must be submitted within 3 (three) months after receipt of the rejection of such registration by the applicant or his attorney.

/Article 9 ---

Article 9

- (1) If a copyright registration application has fulfilled the requirements stated in Article 1, Article 2, Article 3, Article 4 and Article 12, the Copyright for which registration has been requested shall be registered by the Directorate of Copyright in the general register of copyright by issuing a certificate of registration of copy right in duplicate as contained in Enclosure III of this Ministerial Regulation.
- (2) The two copies of the certificate of registration of copyright as referred to in paragraph (1) shall be signed by the Director of Copyright or any other designated official as evidence of registration.
- (3) The second copy of the certificate of registration of a copy right as referred to in paragraph (2) along with the copyright registration application shall be sent to the applicant, and the first copy shall be kept at the Directorate of Copyright.

CHAPTER II

GENERAL REGISTER OF COPYRIGHT

Article 10

The General Register of Copyright shall contain :

- a. Name, citizenship and address of the Author;
- b. Name, citizenship and address of the Copyright Holder;
- c. Type and title of the work;

- d. Date and place in which the work has been announced for the first time;
- e. Description of the work;
- f. Date and time of receipt of the application;
- g. Date and time of the complete application;
- h. Copyright Registration Number;
- i. Columns for assignment of right, change of name, change of address, deletion and cancellation.

CHAPTER III
CONTENTS OF PUBLICATION IN THE
SUPPLEMENT TO THE STATE GAZETTE

Article 11

The publication of a copyright registration in the Supplements to the State Gazette of the Republic of Indonesia shall contain :

- a. Name, citizenship and address of the Author;
- b. Name, citizenship and address of the Copyright Holder;
- c. Type and title of the work;
- d. Date and place in which the work has been announced for the first time;
- e. Description of the work;
- f. Registration Number;
- g. Date of registration;
- h. Assignment of right, change of name, change of address, deletion, cancellation;
- i. Other matters deemed necessary.

CHAPTER IV

F E E S

Article 12

Applications for registration of copyright, applications for assignment of right, applications for change of name and address and application to obtain excerpt shall be subject to payment of the following fees :

- a. Fee for copyright registration application Rp. 7,500,-
- b. Fee for applications for recordation of right of a copyright registered in the General Register Rp. 7.500,-
- c. Fee for application of change of name and address with respect to a copyright which has been registered in the General Register Rp. 2.500,-
- d. Fee for the request for an excerpt of any copyright registration in the General Register of Copyright Rp 2.500.-

Article 13

Proceeds from the collection of fees as meant in Article 12 of this Regulation shall constitute state revenues which must be paid in full to the State Treasury in accordance with the prevailing laws and regulations.

CHAPTER V
CLOSING PROVISION

Article 14

This Ministerial Regulation shall be effective as of the date of its stipulation.

In order for every person to be knowledgeable of this Ministerial Regulation, it is hereby instructed to promulgate this Ministerial Regulation by publication in the State Gazette of the Republic of Indonesia.

Stipulate in : Jakarta

On : October 26, 1981-

THE MINISTER OF JUSTICE OF THE
REPUBLIC OF INDONESIA

{Signed}

ISMAIL SALEH, SH

ENCLOSURE I

Regulation of the Minister of Justice
of the Republic of Indonesia
Number : M.01-HC.03.01 Year 1987

The Honorable
Minister of Justice of the
Republic of Indonesia
through the Director of Copyright
in
J A K A R T A.

COPYRIGHT REGISTRATION APPLICATION

I. A u t h o r

- 1. N a m e :
- 2. Citizenship :
- 3. Address :

II. Copyright Holder

- 1. N a m e :
- 2. Citizenship :
- 3. Address :

III. Attorney

1. N a m e : .
2. Citizenship :
3. Address :

IV. Type and title of the
work for which Copyright
registration has been
requested :

V. Date and place of first
announcement within the
territories or outside
the territories of
Indonesia :

VI. Description of the work :

Jakarta.

Aplicant / Attorney

Guidelines to ENCLOSURE I
Regulation of the Minister of Justice
of the Republic of Indonesia
Number : M.01-HC.03.01 Year 1987

GUIDELINES TO COMPLETE THE APPLICATION FORM

- I. State the name, citizenship and address of the author clearly, and attach relevant evidences (photocopies will suffice) such as the Identity Card, Passport, Letter of Evidence of Indonesian Citizenship.
If the applicant is a legal entity, please attach an authentic copy of the Deed of Establishment of such legal entity.
- II. State the name, citizenship and address of the copyright holder clearly, and attach the same evidences as in point 1 above along with the evidence of assignment of right on such work from the author to the copyright holder (the evidence of assignment of right must be in the original or a copy certified by the competent authorities).
- III. State the name, citizenship and address of the applicant's proxy and attach the same evidences as in point 1 above.
- IV. State the type of work for which copyright has been requested choosing one of the types of works listed below :
 1. Books, pamphlets and all other literary works;
 2. Lectures, college courses, speeches, etc.;
 3. Performances such as music, gamelan music, drama, dance, puppet shows, pantomime, and broadcast works, inter alia, for radio, television and film media, and video recordings;

4. Choreographic works, songs or music arrangement with or without lyrics, and voice or sound recordings;
5. All types of fine arts such as paintings, carvings, sculpture, and caligraphy of which protection is provided in Article 10 paragraph (2);
6. Batik art;
7. Architecture;
8. Maps;
9. Cinematography;
10. Photography;
11. Computer programs;
12. Translation, interpretation, adaptation, and anthology.

State the title of the work for which copyright has been requested.

State the date and place in which the work was first announced, for example, Jakarta, August 17, 1982, accompanied by evidence of such announcement, if any.

A Description of a work shall mean a description about the work, for example a Novel may be described in the form of synopsis of such Novel. The description may be made on a separate sheet.

MINISTRY OF JUSTICE
OF THE REPUBLIC OF INDONESIA
DIRECTORATE GENERAL
OF COPYRIGHT, PATENTS AND TRADEMARKS
DIRECTORATE OF COPYRIGHT.

ENCLOSURE III
Regulation of the Minister of Justice
of the Republic of Indonesia
Number : M.01-HC.03.01 Year 1987

CERTIFICATE OF REGISTRATION OF A WORK

Has been registered on 19 ... in the General
Register of Copyright at the Directorate of Copyright in
Jakarta.

The work :

Title :

I. A u t h o r

1. N a m e :

2. Citizenship :

3. Address :

II. Copyright Holder

1. m e :

2. zenship

3. Address

III. Attorney

1. Name :
2. Citizenship :
3. Address :

2 (two) of the best editions of such work have been received at the Directorate of Copyright and have been registered under registration number _____

Jakarta,

19

THE DIRECTOR OF COPYRIGHT.

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