

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, 1987

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

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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 calligraphy 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.

IV. 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. Author

1. Name :

2. Citizenship :

3. Address :

II. Copyright Holder

1. Name :

2. Citizenship

3. Address

III. Attorney

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

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

Jakarta,

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THE DIRECTOR OF COPYRIGHT,

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