

GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA

No. 14 Year 1986

CONCERNING THE COUNCIL OF COPYRIGHT

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

Considering : That to implement the provision of articles 39 and 40 Law No. 6 Year 1982 concerning Copyright, it is deemed necessary to stipulate a Government Regulation on the Council of Copyright.

Bearing in mind :

1. Article 5 section (2) of the Constitution of the Year 1945.
2. Law No. 6 of the Year 1982 concerning Copyright (State Gazette No. 15 of the Year 1982, Supplemental State Gazette No. 3217).

HAS DECIDED

To Promulgate : Government Regulation of the Republic of Indonesia concerning the Council of Copyright.

Chapter 1

Domicile, Task And Function

Article 1

The Council of Copyright, hereinafter referred in this Government Regulation to as the Council forms a non-structural organization domiciled in the capital city of the State of the Republic of Indonesia.

Article 2

The Council of Copyright shall have the task to assist the Government in providing information, guidance as well as control of copyright.

Article 3

In implementing its task as referred to in article 2, the Council shall have functions :

- a. to assist the Government in preparing and processing materials needed in the framework of drafting regulations having the force of law on copyright as well as in formulating the policy of the government regarding measures or efforts needed in providing the protection of copyright.

- b. to provide recommendations and opinion to the President either requested or not on matters relating to copyright.
- c. to provide recommendations and opinion regarding copyright upon request of a court or other governmental institutions.
- d. to provide recommendations and opinion to an author and the public regarding matters dealing with copyright.
- e. to provide recommendations and opinion in the framework of a settlement of dispute upon the request of the parties in dispute.

Chapter II

Composition of Membership and Number of members

Article 4

(1) Membership of the Council shall comprise of representatives of Departments, Non-Departmental Government Institutions, and representatives of organizations of expertise or profession relating to a copyright.

(2) Composition of membership of the Council as referred to in section (1) shall comprise of :

- a. Chairman concurrently
as member : Minister of Justice

b. Vice Chairman concurrently

as member : Director General of Culture,
Department of Education and
Culture.

c. Secretary concurrently

as member : Director General of Legal
Affairs and Legislation,
Department of Justice.

d. Deputy Secretary concurrently

as member : Director of Patents and
Copyrights, Directorate
General of Legal Affairs
and Legislation, Department
of Justice.

e. Ten members of the most shall consist of representatives
of Departments, Non-Departmental Institutions, among
other thing the Department of Education and Culture,
Department of Information and representatives of organiza-
tions of expertise and profession relating to a copyright.

Article 5

(1) To facilitate the implementation of the day-to-day operation
of the Council, an executive committee is formed comprising
of :

a. Chairman : Director General of Legal Affairs and Legis-

lation, Department of Justice.

b. Secretary : Director of Patents and Copyrights, Directorate General of Legal Affairs and Legislation, Department of Justice.

c. Several members to be selected from among the members of the Council as may be required.

(2) Membership of the executive committee shall be stipulated by the Chairman of the Council.

Article 6

(1) Secretary shall be in charge of managing a secretariat functionally conducted by the Directorate of Patents and Copyrights, Directorate General of Legal Affairs and Legislation, Department of Justice.

(2) Secretary as referred to in section (1) shall have the duty to provide staff and administrative support and service to the Council and the Executive Committee.

Chapter III

Appointment And Requirements of Membership

Article 7

(1) Chairman, Vice Chairman, Secretary, Deputy Secretary and Members of the Council shall be appointed and discharged by

the President on recommendations of the Minister of Justice for a period of 3 (three) years and thereafter the members of the Council may be reappointed for two consecutive term of office at the most based on the procedure stipulated in this Government Regulation.

(2) Nomination of the member of the Council shall be carried out as follows :

a. The Minister of Justice holds consultation with Minister/ Chairman of the Non-Departmental Government Institution concerned for determining candidates representing the Government in the Council.

b. Each organization due to the field of expertise and profession relating to a copyright shall nominate one member of the Council to the Minister of Justice.

(3) The Minister of Justice shall select the member candidates of the Council submitted by such organization of the field of expertise and profession relating to a copyright and further together with the candidate(s) representing the Government shall be proposed for appointment by the the Minister of Justice to the President for appointment.

Article 8

(1) For of a membership of the Council the following requirements shall be met :

a. Indonesian national.

- b. Residence be in the territory of the Republic of Indonesia
 - c. Loyal to Pancasila and the Constitution of 1945
 - d. Having skill, capability and experience in the field of copyright as well as sense of responsibility ;
 - e. Having no criminal record relating to a copyright.
- (2) Any organization that may submit its representatives to be nominated as a member of the Council shall meet the following requirements :
- a. Basis on Pancasila and Constitution of 1945.
 - b. Completely independent and nation-wide.
- (3) Organization that qualifies the requirements as referred to in section (2) may nominate only one representative as member of the Council.

Article 9

Membership of the Council shall terminate due to :

1. Death.
2. Resignation due to conditions of health or other causes preventing one from performing task as a member of the Council
3. Discharged by the President on recommendations of the Minister of Justice.
4. Term of office of the members of the Council as referred to in Article 7 section (1) is ended.

Article 10

- (1) If there is a vacancy in the membership of the Council caused by matters as referred to in Article 9 numbers 1, 2, and 3, the Department, Non-Department Governmental Institution or Organization concerned may nominate a member candidate to fill such vacancy.
- (2) The Minister of Justice shall after having received a proposal of a member candidate as referred to in section (1) shall examine the membership requirements to be fulfilled as provided for in Article 8 section (1).
- (3) The Minister of Justice after having examined and considered member candidate(s) as referred to in section (2) shall propose the name of candidate(s) to the President for appointment as a member of the Council.
- (4) The term of office of the member referred in this Article shall terminate at the end of the term of office of the member he replaces.

Chapter IV

Procedure

Article 11

The procedure of work of the Council shall be stipulated by the Council not later than 3 (three) months as of the appointment of

Chairman, Vice Chairman, Secretary and Deputy Secretary and members of the Council.

Chapter V

Financing

Article 12

Funds for the implementation of the task and function of the Council shall be charged to the budget of the Department of Justice.

Chapter VI

Concluding Provisions

Article 13

The provisions concerning the implementation of this Government Regulation shall be further stipulated by the Minister of Justice as the Chairman of the Council.

Article 14

This Government Regulation shall take effect as of the date of its enactment.

In order that every person thereby be informed, this Government

Regulation shall appear on a State Gazette of the Republic of
Indonesia.

PROMULGATED IN JAKARTA

ON MARCH 6, 1986

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

Signed

SOEHARTO

ENACTED IN JAKARTA

ON MARCH 6, 1986

MINISTER/STATE SECRETARY OF

THE REPUBLIC OF INDONESIA

Signed

SUDHARMONO