

PROTECTION DECREE OF THE MINISTER OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA NUMBER: HKI2.OT.03.01-02 YEAR 2016 CONCERNING APPROVAL OF ROYALTY RATE FOR USERS WHO DO COMMERCIAL UTILIZATION OF CREATION AND/OR MUSIC-RELATED RIGHTS PRODUCTS AND SONG

MINISTER OF LAW AND HUMAN RIGHTS REPUBLIC OF INDONESIA,

Considering:

a. that in order to implement the provisions of Article 89 paragraph (4) of Law Number 28 of 2014 concerning Copyright and Article 5 of Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 29 of 2014 concerning Procedures for Application and Issuance of Operational Permits and Evaluation of Collective Management Institutions, it is necessary to determine the amount of the royalty rate for Users who make commercial use of Works and/or Products Rights Related to music and songs;

b. that based on the considerations in letter a, it is necessary to ratify the royalty rate that has been determined by the Creator's National Collective Management Agency and Related Rights National Collective Management Institute and submitted to the Minister of Law and Human Rights of the Republic of Indonesia through letter number: 02/LMKN-Pleno/External/2016 dated 19 May 2016

c. that based on the considerations in points a and b, it is necessary to stipulate a Decree of the Minister of Law and Human Rights of the Republic of Indonesia regarding Ratification of Royalty Rates for Users who make commercial use of creations and/or rights products related to the field of music and song.

Remember:

1. Law Number 28 of 2014 concerning Copyright (State Gazette of the Republic of Indonesia of 2014 Number 266);
2. Regulation of the President of the Republic of Indonesia Number 4 of 2015 concerning the Ministry of Law and Human Rights (State Gazette of 2015 Number 84);
3. Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number M. HH-05.OT.01.01 of 2010 concerning the Organization and Working Procedures of the Ministry of Law and Human Rights;
4. Regulation of the Minister of Law and Human Rights Number 29 of 2014 concerning Procedures for Application and Issuance of Operational Permits and Evaluation of Collective Management Institutions (State Gazette of the Republic of Indonesia of 2014 Number 1699).

DECIDE.

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MINISTER OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA CONCERNING APPROVAL OF ROYALTY RATES FOR V A N G USERS CONDUCTING COMMERCIAL UTILIZATION OF CREATION AND/OR RIGHTS PRODUCTS RELATED TO MUSIC AND SONG.

FIRST

The amount of royalty rates in this decision is determined proportionally and based on best practice that has been in effect in Indonesia;

SECOND

The amount of the royalty rate as attached to this decision, is the only amount of the official price that is withdrawn from the User by the Author's Collective Management Institution and the Related Rights Collective Management Institution the field of music and songs;

THIRD

The amount of the royalty rate referred to in this decision is the Royalty Rate as determined by the National Collective Management Institute (LIMKN) as follows

a. verdict. LMKN No: 20160512 SKK/LMKN-Pleno/Royalty Rates/2016 concerning Royalty Rates for Seminars and Commercial Conferences;

b. LMKN Decree Number: 20160512RKBD/LMKN-Pleno/Royalty Rates/2016 concerning Royalty Rates for Restaurants, Cafes, Pubs, Bars, Bistros, Night Clubs and Discotheques;

c. LMKN Decree No 20160512KM/LMKN-Pleno/Royalty Rates/2016 concerning Royalty Rates for Music Concerts;

d. LMKN Decree Number: 20160512PBKK/LMKN-Pleno/Royalty Rates/2016 concerning Royalty Rates for Airplanes, Buses, Trains and Ships;

e. LIMKN Decree Number: 20160512PB/LMKN-Pleno/TarifRoyalti/2016 concerning Royalty Rates for Exhibitions and Bazaars;

f. LMKN Decree Number: 20160512B/LMKN-Pleno/Royalty Rates/2016 concerning Royalty Rates for Cinemas;

g. LMKN Decree No. 20160512TBK/LMKN-Pleno/Royalty Rates/2016 concerning Royalty Rates for Telephone Waiting Tones, Banks and Office;

h. LMKN Decree Number: 20160511T/LMKN-Pleno/Royalty Rates/2016 concerning Royalty Rates for Shops;

i. LMKN Decree Number: 20160511PR/LMKN-Pleno/TarifRoyalti/2016 concerning Royalty Rates for Recreation Centers;

j. LMKN Decree Number: 20160504TV/LMKN-Pleno/Royalty Rates/2016 concerning Royalty Rates for Television Broadcasting Institutions;

k. LMKN Decree Number: 20160504R/LMKN-Pleno/Royalty Tariff/2016 concerning Royalty Tariffs for Radio Broadcasting Institutions;

FOURTH

The amount of the royalty rate as attached in this decision will be evaluated at least once every 1 (one) year;

FIFTH

This decision is valid from the date of stipulation with the provision that if in the future it turns out that there is a mistake a correction will be made

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Set at Jakarta

May 20, 2016