



New Financial Services Authority (OJK) & Banking Regulations

The Summary of the New Financial Services Authority (OJK) & Banking Regulations

The following is a list of the new Financial Services Authority (OJK) & banking regulations. All regulations are available in Indonesian.

New Financial Services Authority (OJK) Regulations

1. Regulation: 20/POJK.04/2018 ([Click here 20/POJK.04/2018](#))
Date : 13 November 2018
Regarding : Perizinan Wakil Penjamin Emisi Efek dan Wakil Perantara Pedagang Efek.
(Licensing of Representatives of Security Underwriters and Representatives of Security Trader/Brokers)

Summary:

The background to the issuance of this regulation is the need to enhance efficiency in application for licenses, extension of licenses, and reporting representatives of securities underwriters (WPEE) and representatives of securities broker/traders (WPPE), and to optimize oversight and provide ease and convenience in extending licenses of representatives of securities underwriters and representatives of securities broker/traders. This regulation regulates the licensing and requirements of WPEE and WPPE, procedures for application for

WPEE licenses and WPPE licenses, validity period and extension of WPEE licenses and WPPE licenses, obligations and prohibitions for WPEE and WPPE, associations, reporting, return of WPEE licenses and WPPE licenses, other provisions, and penalty provisions.

New Banking Regulation

1. Regulation: 20/11/PBI/2018 ([Click here 20/11/PBI/2018](#))
Date : 19 October 2018
Regarding : Perubahan Ketiga Atas Peraturan Bank Indonesia Nomor 17/18/PBI/2015 Tentang Penyelenggaraan Transaksi, Penatausahaan Surat Berharga, dan Setelen Dana Seketika.
(Third Amendment of Bank Indonesia Regulation number 17/18/PBI/2015 concerning Operation of Transactions, Administration of Marketable Securities, and Setting of Immediate Funds)

Summary

The background to the issuance of this regulation is the importance of immediately meeting the needs for operation of a payment system that is smoother, more secure, more efficient and more reliable, one way to achieve which is through accelerated implementation of the provisions concerning obligation for provision of sufficient funds at the time of transmission of fund settlement instructions and the provisions concerning the Intraday Liquidity Facility (FLI). This is done to prevent fund settlement instructions that are delayed, promote customer protection, and create market discipline. To achieve these purposes, it is necessary to immediately apply amendment to the regulations concerning provision of sufficient funds at the time of transmission of fund settlement instructions and FLI. In this regard, support is needed through adjustment of the time for effectiveness of the provisions concerning obligation for provision of sufficient funds at the time of transmission of fund settlement instructions and the provisions concerning FLI.

2. Regulation: 20/12/PBI/2018 ([Click here 20/12/PBI/2018](#))
Date : 02 November 2018
Regarding : Perubahan atas Peraturan Bank Indonesia Nomor 20/5/PBI/2018 tentang Operasi Moneter.
(Amendment of Bank Indonesia Regulation number 20/5/PBI/2018 concerning Monetary Operations)

Summary

The amendments stipulated in this regulation cover implementation of conventional OPT, one of which is through the means of conducting sale and purchase of foreign exchange against the rupiah. Sale and purchase of foreign exchange against the rupiah is done, among others, in the form of spot transactions, forward transactions, swap transactions, and/or domestic non-deliverable forward transactions. OMK participants that conduct OPT transactions OPT in foreign exchange market, as well as placing term deposits at Bank Indonesia in foreign exchange and foreign exchange SBBI which does not fulfil the obligations relating to settlement of a transaction, must pay the value of the transaction concerned on the next working day after the transaction settlement date. In addition to the obligation to pay the value of the transaction, a Monetary Operations participant that conducts Conventional OPT transactions in the foreign exchange market in the form of domestic non-deliverable forward,

will also be subjected to the following penalties: obligation to pay in rupiah, which is calculated on the basis of the average interest rate per the prevailing Bank Indonesia policy plus a margin of 350 (three hundred fifty) basis points time the settlement liability and times 1/360 (one per three hundred sixty), at a minimum of Rp10.000.000,00 (ten million rupiah) per transaction; and suspension from taking part in Monetary Operation activities until the end of the day when the Monetary Operation Participant fulfils its obligations.

3. Regulation: 20/13/PBI/2018 ([Click here 20/13/PBI/2018](#))
Date : 09 November 2018
Regarding : Transaksi Derivatif Suku Bunga Rupiah.
(Derivative Transactions with Rupiah Interest Rate)

Summary

This regulation is issued in order to achieve and maintain stability of the value of the rupiah. This requires a liquid and efficient financial market to support national economic activities. This can be achieved through overall development of a derivative market with rupiah exchange rates, with due attention to prudential principles. In addition, the effort to develop a derivative market with rupiah exchange rates requires comprehensive regulation concerning enrichment of instruments, development of infrastructure, and enhancement of market credibility. This regulation regulates concerning derivative transactions with rupiah interest rates, settlement of derivative transactions with rupiah interest rates, prudential principles and risk management, the infrastructure for derivative transactions with rupiah interest rates, reporting, oversight, and administrative penalties.

4. Regulation: 20/23/PADG/2018 ([Click here 20/23/PADG/2018](#))
Date : 31 October 2018
Regarding : Perubahan Atas Peraturan Anggota Dewan Gubernur Nomor 20/2/PADG/2018
Tentang Tata Cara Penggunaan Fasilitas Likuiditas Intrahari.
(Amendment of Regulation of the Board of Governors number 20/2/PADG/2018 concerning Procedures for Use of Interday Liquidity Facility)

Summary

The amendments stipulated in this regulation include changes to the provisions of Article 1 concerning definitions of terms and the provisions of Article 4 concerning pricing, haircuts and calculation of the value of negotiable securities available in a FLI account. In addition, this regulation also stipulates a change to the effective date of the provisions stipulated in PADG Number 20/2/PADG/2018, to 1 November 2018. These changes are made following the implementation of change of the infrastructure that is used for the BI-RTGS, BI-SSSS, and Bank Indonesia-Electronic Trading Platform systems, which requires acceleration of the imposition of the provisions concerning procedures for use of the intraday liquidity facility.

5. Regulation: 20/24/PADG/2018 ([Click here 20/24/PADG/2018](#))
Date : 31 October 2018
Regarding : Perubahan Atas Peraturan Anggota Dewan Gubernur Nomor 20/4/PADG/2018
Tentang Penyelenggaraan Penatausahaan Surat Berharga Melalui Bank
Indonesia-Scripless Securities Settlement System.
(Amendment of Regulation of the Board of Governors number 20/4/PADG/2018)

concerning Operation of Administration of Marketable Securities through the Bank Indonesia Scripless Securities Settlement System)

Summary

The amendments stipulated in this regulation cover changes to the provisions of Article 1 concerning definitions of terms; changes to the provisions of Article 6 concerning types of administration activities of negotiable securities and methods of settlement of transactions and cancellation of second leg settlements; changes to the provisions in Chapter IV Part Six consisting of Article 126 through Article 133 concerning administration of Monetary Operations transactions; changes to the provisions of Article 177 concerning revocation of Bank Indonesia Circulars (SEBI) Number 17/31/DPSP and Number 18/20/DPSP, except for several provisions concerning participation, settlement and administration of negotiable securities in the context of FLI which remain in force until 31 October 2018; changes to the provisions of Article 178 concerning determination of the effective starting dates of the provisions of PADG Number 20/4/PADG/2018 concerning obligation for a sub-registry to manage and report customers' data, settlement and administration of negotiable securities in the context of FLI to respectively 1 June 2018, 1 November 2018 and 1 January 2019.

6. Regulation: 20/25/PADG/2018 ([Click here 20/25/PADG/2018](#))
Date : 31 October 2018
Regarding : Perubahan Atas Peraturan Anggota Dewan Gubernur Nomor 20/15/PADG/2018 Tentang Penyelenggaraan Setelmen Dana Seketika Melalui Sistem Bank Indonesia-Real Time Gross Settlement.
(Amendment of Regulation of the Board of Governors number 20/15/PADG/2018 concerning Operation of Immediate Fund Settlement through the Bank Indonesia Real Time Gross Settlement System)

Summary

The amendments stipulated in this regulation cover the provisions in Article 153 concerning several provisions that remain in force until 31 October 2018 in several Bank Indonesia Circulars that are revoked, specifically the provisions concerning production and transmission of fund settlement instructions, provisions concerning fund settlement mechanisms, provisions concerning priority of transactions and the queuing system and management of transactions in the queue, and provisions concerning savings liquidity facility. In addition, this regulation also stipulates changes to the provisions of Article 154 concerning determination of 1 November 2018 as the effective starting date of the provisions of PADG Number 20/15/PADG/2018 concerning fund settlement, priority groups, queuing mechanism, and liquidity management facilities.

7. Regulation: 20/26/PADG/2018 ([Click here 20/26/PADG/2018](#))
Date : 05 November 2018
Regarding : Kepesertaan dalam Sistem Kliring Nasional Bank Indonesia.
(Participation in the Bank Indonesia National Clearing System)

Summary

This regulation is issued to provide consistency with the integrated licensing system by Bank Indonesia as mentioned in Bank Indonesia Regulation (PBI) No. 19/13/PBI/2017 concerning

Integrated Licensing Services in connection with the Operating Relationship of Commercial Banks with Bank Indonesia (PBI PPTBU). This PADG regulates participation in operation of SKNBI, among others requirements and procedures to become a Participant, changes in participation data, participation status, and changes in participation status in SKNBI. In addition, in order to provide consistency with the integrated licensing policy, there are adjustments to the regulation on submission of applications and information concerning participation in SKNBI as follows: submission of applications and information shall be addressed to the work unit that carries out the function of macroprudential, monetary, and payment system oversight; next, the application shall be submitted to the work unit that carries out the function of operation of the payment system.

8. Regulation: 20/27/PADG/2018 ([Click here 20/27/PADG/2018](#))
Date : 06 November 2018
Regarding : Transaksi Sertifikat Deposito Syariah di Pasar Uang.
(Sharia Certificate of Deposit Transactions in the Money Market)

Summary

The provisions in PBI No. 20/9/PBI/2018 concerning Transactions of Sharia Certificates of Deposit in the Money Market need to be supported with an implementing regulation in the form of a Regulation of the Board of Governors (PADG). This PADG regulates technical matters relating to operations of sharia certificate of deposit transactions in the money market, including the criteria for sharia certificates of deposit that are transacted in the money market, transparency of information, procedure for licensing of issuance, procedure for registration of support institutions, licensing and registration processes conducted by Bank Indonesia, participants and prices in sharia certificate of deposit transactions in the secondary market, reporting, revocation of licenses and registered status, and procedures for imposition of penalties.

9. Regulation: 20/28/PADG/2018 ([Click here 20/28/PADG/2018](#))
Date : 07 November 2018
Regarding : Perubahan atas Peraturan Anggota Dewan Gubernur Nomor 20/5/PADG/2018 tentang Instrumen Operasi Pasar Terbuka.
(Amendment of Regulation of the Board of Governors number 20/5/PADG/2018 concerning Open Market Operation Instruments)

Summary

In order to achieve and maintain stability of the value of the Rupiah, Bank Indonesia carries out monetary policies, among others through the issuance of domestic non-deliverable forward (DNDF) transactions as one instrument of Monetary Operations in the context of Conventional Open Market Operations (OPT). When necessary, DNDF transactions may be conducted by Bank Indonesia for the purpose of maintaining stabilization of the exchange rate through Bank Indonesia DNDF Selling transactions or Bank Indonesia DNDF Purchase transactions. The amendments stipulated in this regulation include addition of definitions relating to DNDF transactions such as DNDF Transaction; Fixing Mechanism; Bank Indonesia DNDF Selling Transaction; Bank Indonesia DNDF Purchase Transaction; characteristics of DNDF Transactions; and implementation of DNDF transactions through tender.

10. Regulation: 20/29/PADG/2018 ([Click here 20/29/PADG/2018](#))

Date : 07 November 2018

Regarding : Perubahan atas Peraturan Anggota Dewan Gubernur Nomor 20/6/PADG/2018 tentang Pelaksanaan Operasi Pasar Terbuka.

(Amendment of Regulation of the Board of Governors number 20/6/PADG/2018 concerning Implementation of Open Market Operations)

Summary

The amendments stipulated in this regulation cover implementation of Domestic Non-Deliverable Forward (DNDF) transactions with Bank Indonesia which regulate concerning the following points: announcement of tenders for DNDF transactions; submission of bids for DNDF transactions through tender; registration and updating of information to take part in DNDF transactions through tender through the automated foreign exchange Monetary Operations system; submission of bids for DNDF transactions through tender through the automated foreign exchange Monetary Operations system; submission of bids for DNDF transactions through tender through other means of transactions as specified by Bank Indonesia; determination of winners of DNDF transactions through tender; announcement of results of DNDF transactions through tender; DNDF transactions through non-tender; Settlement of DNDF transactions; and penalties in the event that an OPT participant is unable to fulfil settlement obligations for a DNDF transaction.

Contact

Clients & Markets Deloitte Indonesia

Email: IDMarcomm@deloitte.com

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited (“DTTL”), its global network of member firms, and their related entities. DTTL (also referred to as “Deloitte Global”) and each of its member firms are legally separate and independent entities. DTTL does not provide services to clients. Please see www.deloitte.com/about to learn more.

Deloitte is a leading global provider of audit and assurance, consulting, financial advisory, risk advisory, tax and related services. Our network of member firms in more than 150 countries and territories serves four out of five Fortune Global 500® companies. Learn how Deloitte’s approximately 264,000 people make an impact that matters at www.deloitte.com.

About Deloitte Southeast Asia

Deloitte Southeast Asia Ltd – a member firm of Deloitte Touche Tohmatsu Limited comprising Deloitte practices operating in Brunei, Cambodia, Guam, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam – was established to deliver measurable value to the particular demands of increasingly intra-regional and fast growing companies and enterprises.

Comprising approximately 340 partners and 8,800 professionals in 25 office locations, the affiliates of Deloitte Southeast Asia Ltd combine their technical expertise and deep industry knowledge to deliver consistent high quality services to companies in the region.

All services are provided through the individual country practices and their affiliates which are separate and independent legal entities.

About Deloitte Indonesia

In Indonesia, services are provided by Satrio Bing Eny & Rekan.

This communication contains general information only, and none of Deloitte Touche Tohmatsu Limited, its member firms, or their related entities (collectively, the “Deloitte Network”) is, by means of this communication, rendering professional advice or services. Before making any decision or taking any action that may affect your finances or your business, you should consult a qualified professional adviser.

No entity in the Deloitte Network shall be responsible for any loss whatsoever sustained by any person who relies on this communication.