



World Consumer Protection Map

Contribution by
INDONESIA

Page 2: Contact of respondent

Q1 Name of responding member State **Indonesia**

Q2 Name of responding authority/agency:

National Consumer Protection Agency Republic of Indonesia

Page 3: Consumer protection legislation

Q7 Does your country's Constitution contain a provision on consumer protection? **Yes**

Q8 If you do, please provide de following details:

Text of constitutional norm with reference to consumer protection

Article 27 and Article 33 Indonesian Constitution of 1945

URL link

<https://drive.google.com/open?id=1FPjZSvpHTjJSAHclXp2zH3NN5b8fDKFJ>

Q9 Does your country have have specific law(s) on consumer protection ? **Yes**

Consumer Protection Survey

Q10 If you do, when was the main specific law first enacted? Date 20/04/1999

Q11 If your main specific law on consumer protection has been revised, when was the date of its latest revision? Date 20/04/1999

Q12 Please provide the following details of the current specific law(s):

1- Name of law **Law No. 8 Year 1999 concerning Consumer Protection**
1- URL link **https://drive.google.com/open?id=1oPZWCOjDDsL3rxhzx__gicnD4WVW4egs**

Q13 Please check all the fields that your consumer protections law(s) cover.

Consumer rights/legitimate needs,
Access by consumers to essential goods and services ,
Protection of vulnerable and disadvantaged consumers
,
Physical safety,
Product quality,
Terms and conditions ,
Promotional marketing and sales practices (including misleading advertisement)
,
Promotion of sustainable consumption ,
Dispute resolution,
Redress,
Consumer education,
Consumer information

Consumer Protection Survey

Q14 From your previous answer, your specific consumer protection law(s) do(es) not cover the following field(s). Please name the relevant law(s) covering this/these field(s):

Voluntary codes for businesses	Advertisement Code of Conduct Indonesia (Manners and Etiquette Advertising Indonesia), Direct Selling Code of Conduct, and Code of Conduct for Public Listed Companies
Restrictive business practices (competition/antitrust)	Law No. 5 Year 1999 concerning Prohibition Monopoly Practices and Unfair Business Practices
Electronic commerce	Law No. 11 Year 2008 concerning Information and Electronic Transactions
Food distribution	Law No. 18 Year 2012 concerning Food
Water	Law No. 11 Year 1974
Pharmaceuticals	Law No. 7 Year 1963 concerning Pharmaceutical
Energy	Law No. 21 Year 2014 concerning Geothermal and Law No. 30 Year 2009 concerning Electricity
Public utilities	Law No. 2 Year 2012 concerning Procurement of Land for Public Interest Development
Tourism	Law No. 10 Year 2009 concerning Tourism
Data protection and privacy	Regulation of The Minister Of Communication And Information Technology Republic of Indonesia Number 20 Year 2016 About Protection of Personal Data In The Electronic System
Financial services	Law No. 21 Year 2011 concerning Financial Services Authority

Consumer Protection Survey

Q15 Please indicate the URL Link of the relevant law(s) to each field:

Voluntary codes for businesses	https://1drv.ms/b/s!AiC8c5mTmbgymch1Lu3RnZYhpWneeA
Restrictive business practices (competition/antitrust)	https://1drv.ms/b/s!AiC8c5mTmbgymcktkz-xgw1KdRd24w
Electronic commerce	https://1drv.ms/b/s!AiC8c5mTmbgymclA3QhBy2082klB3A
Food distribution	https://1drv.ms/b/s!AiC8c5mTmbgymck4S-NH4IBYQRSzTg
Water	https://1drv.ms/b/s!AiC8c5mTmbgymckyOkaJZwND5ynUWw
Pharmaceuticals	https://1drv.ms/b/s!AiC8c5mTmbgymck1YTaO8le79OAMAA
Energy	https://1drv.ms/f/s!AiC8c5mTmbgymehYnF_-CsBjWJsX3g
Public utilities	https://1drv.ms/b/s!AiC8c5mTmbgymch6wHr0sFmHEI0oKg
Tourism	https://1drv.ms/b/s!AiC8c5mTmbgymckz7sGOhZzPdd96yg
Data protection and privacy	https://1drv.ms/b/s!AiC8c5mTmbgymckS9_5OGWu6uQTbHQ
Financial services	https://1drv.ms/b/s!AiC8c5mTmbgymckE1N0DNdxEu5G5XQ

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Q16 Name of Ministry responsible for consumer protection:

All Ministries, Financial Services Authority and Central Bank of Indonesia

Q17 URL link of responsible Ministry for consumer protection:

<http://www.kemendag.go.id/en>, <https://www.ojk.go.id/id/Default.aspx>, <https://www.bi.go.id/id/Default.aspx>

Q18 Year when consumer protection was assumed by the current responsible ministry:

Since year 1999

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Q19 Do you have a main consumer protection authority/agency?

Yes

Consumer Protection Survey

Q20 Name of main consumer protection authority/agency:

National Consumer Protection Agency Republic of Indonesia

Q21 URL of main consumer protection authority/agency:

<https://www.bpkp.go.id>

Q22 Year of creation:

2001

Q23 Annual budget: (in USD)

1380971

Q24 Total number of staff:

46

Q25 Total number of staff directly affected to consumer protection:

21

Q26 Do you have a law/decreed that governs the main consumer protection authority/agency? **Yes**

Q27 If you do, please provide the following details:

Reference of the law/decreed

Government Regulation No. 4 of 2019

URL to law/decreed

https://1drv.ms/b/s!AiC8c5mTmbgymewC1G9QFog_aUWiWQ

Q28 Does your main consumer protection authority/agency have POLICY MAKING powers over any of the following fields?

**Consumer education,
Consumer information**

Consumer Protection Survey

Q29 From your previous answer, your main authority/agency does not have POLICY MAKING powers over the following fields. Please name the relevant authorities/agencies with powers over these fields:

Consumer rights/legitimate needs	Relevant Ministries
Access by consumers to essential goods and services	Ministry of Trade
Protection of vulnerable and disadvantaged consumers	Ministry of Social Affairs
Physical safety	Ministry of Man Power
Product quality	Ministry of Industry
Terms and conditions	Ministry of Trade
Promotional marketing and sales practices (including misleading advertisement)	Ministry of Trade
Voluntary codes for businesses	Ministry of Trade
Restrictive business practices(competition/antitrust)	Commission for The Supervision of Business Competition (KPPU)
Electronic commerce	Ministry of Communication and Information
Financial services	Financial Services Authority, Bank of Indonesia
Promotion of sustainable consumption	Ministry of Trade
Food distribution	National Agency Food and Drugs
Water	Ministry for Public Works and Public Housing, Ministry of Energy and Mineral Resources
Pharmaceuticals	National Agency Food and Drugs
Energy	Ministry of Energy and Mineral Resources
Public utilities	Ministry for Public Works and Public Housing
Tourism	Ministry of Tourism
Data protection and privacy	Ministry of Communication and Information
Dispute resolution	Relevant Ministries
Redress	Consumer Dispute Settlement Agency (Badan Penyelesaian Sengketa Konsumen – BPSK), Alternative Dispute Settlement Institutions (Lembaga Alternatif Penyelesaian Sengketa), District Court of Republic of Indonesia, Supreme Court of Republic of Indonesia

Consumer Protection Survey

Q30 URL Link of the relevant authority/agency to each field:

Consumer rights/legitimate needs	http://www.kemendag.go.id/en , https://www.ojk.go.id/id/Default.aspx , https://www.bi.go.id/id/Default.aspx
Access by consumers to essential goods and services	http://www.kemendag.go.id/en
Protection of vulnerable and disadvantaged consumers	https://kemsos.go.id/
Physical safety	http://kemnaker.go.id/
Product quality	http://www.kemenperin.go.id/
Terms and conditions	http://www.kemendag.go.id/en
Promotional marketing and sales practices (including misleading advertisement)	http://www.kemendag.go.id/en
Voluntary codes for businesses	http://www.kemendag.go.id/en
Restrictive business practices(competition/antitrust)	http://www.kppu.go.id/
Electronic commerce	https://www.kominfo.go.id/
Financial services	https://ojk.go.id/ , https://www.bi.go.id/
Promotion of sustainable consumption	http://www.kemendag.go.id/en
Food distribution	https://www.pom.go.id
Water	https://www.pu.go.id/ , https://www.esdm.go.id/en
Pharmaceuticals	https://www.pom.go.id
Energy	https://www.esdm.go.id/en
Public utilities	https://www.pu.go.id/
Tourism	http://www.kemenpar.go.id/
Data protection and privacy	https://www.kominfo.go.id/
Dispute resolution	http://siswaspk.kemendag.go.id/daftarbpsk , https://www.mahkamahagung.go.id/ , http://siswaspk.kemendag.go.id/daftarlpksm
Redress	http://siswaspk.kemendag.go.id/daftarbpsk , https://www.mahkamahagung.go.id/ , http://siswaspk.kemendag.go.id/daftarlpksm

Q31 Does your main consumer protection authority/agency have ENFORCEMENT powers over any of the following fields?

Respondent skipped this question

Consumer Protection Survey

Q32 From your previous answer, your main consumer protection authority/agency does not have ENFORCEMENT powers over the following fields. Please name the relevant authorities/agencies with powers over these fields:

Consumer rights/legitimate needs	Relevant Ministries
Access by consumers to essential goods and services	Ministry of Trade
Protection of vulnerable and disadvantaged consumers	Ministry of Social Affairs
Physical safety	Ministry of Man Power
Product quality	Ministry of Industry
Terms and conditions	Ministry of Trade
Promotional marketing and sales practices (including misleading advertisement)	Ministry of Trade
Voluntary codes for businesses	Ministry of Trade
Restrictive business practices (competition/antitrust)	Commission for The Supervision of Business Competition (KPPU)
Electronic commerce	Ministry of Communication and Information
Financial services	Financial Services Authority, Bank of Indonesia
Promotion of sustainable consumption	Ministry of Trade
Food distribution	National Agency Food and Drugs
Water	Ministry for Public Works and Public Housing, Ministry of Energy and Mineral Resources
Pharmaceuticals	National Agency Food and Drugs
Energy	Ministry of Energy and Mineral Resources
Public utilities	Ministry for Public Works and Public Housing
Tourism	Ministry of Tourism
Data protection and privacy	Ministry of Communication and Information
Dispute resolution	Relevant Ministries
Redress	Consumer Dispute Settlement Agency (Badan Penyelesaian Sengketa Konsumen – BPSK), Alternative Dispute Settlement Institutions (Lembaga Alternatif Penyelesaian Sengketa), District Court of Republic of Indonesia, Supreme Court of Republic of Indonesia
Consumer education	All Ministries, Financial Services Authority and Central Bank of Indonesia
Consumer information	All Ministries, Financial Services Authority and Central Bank of Indonesia

Consumer Protection Survey

Q33 URL Link of the relevant authority/agency to each field:

Consumer rights/legitimate needs	http://www.kemendag.go.id/en , https://www.ojk.go.id/id/Default.aspx , https://www.bi.go.id/id/Default.aspx
Access by consumers to essential goods and services	http://www.kemendag.go.id/en
Protection of vulnerable and disadvantaged consumers	https://kemsos.go.id/
Physical safety	http://kemnaker.go.id/
Product quality	http://www.kemenperin.go.id/
Terms and conditions	http://www.kemendag.go.id/en
Promotional marketing and sales practices (including misleading advertisement)	http://www.kemendag.go.id/en
Voluntary codes for businesses	http://www.kemendag.go.id/en
Restrictive business practices (competition/antitrust)	http://www.kppu.go.id/
Electronic commerce	https://www.kominfo.go.id/
Financial services	https://ojk.go.id/ , https://www.bi.go.id/
Promotion of sustainable consumption	http://www.kemendag.go.id/en
Food distribution	https://www.pom.go.id
Water	https://www.pu.go.id/ , https://www.esdm.go.id/
Pharmaceuticals	https://www.pom.go.id
Energy	https://www.esdm.go.id/
Public utilities	https://www.pu.go.id/
Tourism	http://www.kemenpar.go.id/
Data protection and privacy	https://www.kominfo.go.id/
Dispute resolution	http://siswaspk.kemendag.go.id/daftarbpsk , https://www.mahkamahagung.go.id/ , http://siswaspk.kemendag.go.id/daftarlpksm
Redress	http://siswaspk.kemendag.go.id/daftarbpsk , https://www.mahkamahagung.go.id/ , http://siswaspk.kemendag.go.id/daftarlpksm
Consumer education	http://www.kemendag.go.id/en , https://www.ojk.go.id/id/Default.aspx , https://www.bi.go.id/id/Default.aspx
Consumer information	http://www.kemendag.go.id/en , https://www.ojk.go.id/id/Default.aspx , https://www.bi.go.id/id/Default.aspx

Q34 Regarding enforcement, how many infringement cases does your authority/agency handle on average per year?

560

Consumer Protection Survey

Q35 Has your authority/agency imposed sanctions and/or other measures for breaches of consumer protection law(s)? **No**

Q36 Maximum amount for sanction/measure allowed by consumer protection law(s): (in USD)

13168200

Q37 Record highest amount for any sanction/measure imposed: (in USD)

0

Q38 Please detail if necessary, what kind of sanctions and/or other measures are available in your jurisdiction

BPKN has no authority impose administrative and/or criminal sanctions

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Q39 Are there any non-governmental consumer organizations/associations in your country? **Yes**

Q40 Do you have a law/decreed that governs consumer organizations/associations? **Yes**

Q41 In case you have a law/decreed that governs consumer organizations, please provide the following details:

Reference of the law/decreed

Government Regulation No. 59 of 2001 concerning Protection Institutions of Non-Governmental Organizations

URL to law/decreed

https://drive.google.com/open?id=1HZOfKvE54swK_vHxOc-O506RM5sYhr-K

Q42 Do consumer organizations/associations fulfil any of the following functions?

Consultation in policy making,
Legal advice to consumers,
Consumer education,
Consumer information,
Consumer publications,
Enforcement powers,
Legal representation of consumers' individual interests before courts,
Legal representation for consumer collective actions

Consumer Protection Survey

Q43 Do consumer groups/associations receive public funding? **Yes**

Q44 Name the three largest non-governmental consumer organizations/associations in your jurisdiction:

1- Name	Indonesian Consumers Foundation (Yayasan Lembaga Konsumen Indonesia – YLKI)
1- Website	https://ylki.or.id/
2- Name	Indonesian Health Consumer Protection Foundation (Yayasan Perlindungan Konsumen Kesehatan Indonesia – YPKKI)
2- Website	http://www.ypkki.or.id/
3- Name	Non-Government Consumer Protection Agency Bojonegoro (Lembaga Perlindungan Konsumen Swadaya Masyarakat Bojonegoro)
3- Website	http://lpksmkabjojonegoro.blogspot.com/

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Q45 Can consumers obtain redress through judicial channels? **Yes**

Q46 Is there a specialized judicial mechanism for consumer complaints? **Yes**

Q47 If there is, please provide the following details

Name	District Court , Consumer Dispute Settlement Agency (Badan Penyelesaian Sengketa Konsumen – BPSK)
URL Link	http://pn-sawahlunto.go.id/alamat-dan-data-pengadilan-negeri-se-indonesia/ , http://siswaspk.kemendag.go.id/daftarbpsk

Q48 Do you have collective redress/class actions for consumer complaints? **Yes**

Q49 Who can represent consumer interests in court? **Consumers individually,
Consumer protection enforcement authority/agency,
Consumer associations**

Consumer Protection Survey

Q50 What is the highest damages award following a collective redress/class action?

Name of case	Property
Year of case	2018
Total amount in USD	4669851

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Q51 Regarding out-of-court/alternative consumer dispute resolution, are there any of the following? **Mediation/ Conciliation, Arbitration**

Q52 If there are any of the above, please provide the following details:

1- Name	Consumer Dispute Settlement Agency (Badan Penyelesaian Sengketa Konsumen – BPSK)
1- URL Link	http://siswaspk.kemendag.go.id/daftarbpsk

Q53 Are there any CROSS-BORDER out-of-court/alternative consumer dispute resolution initiatives? **No**

Q54 If there are, please provide the following details: **Respondent skipped this question**

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Q55 Are there any self-regulation initiatives from businesses? **Yes**

Consumer Protection Survey

Q56 Please provide (up to) 4 examples of the self-regulation initiatives from businesses:

1- Name of initiative	Product Recall (PERKA BPOM No. 22/2017)
1- Scope of application	Withdrawal of Food From Market Circulation
1- URL link	https://1drv.ms/b/s!AiC8c5mTmbgympFtQrcKnsFqCVO RKw
2- Name of initiative	Customer Care
2- Scope of application	food and beverages
2- URL link	https://www.indofood.com/customer-care
3- Name of initiative	Quality Assurance
3- Scope of application	food and beverages
3- URL link	https://www.ajinomoto.com/en/activity/quality-id/
4- Name of initiative	Guarantee Expires (Jaminan Kadaluarsa)
4- Scope of application	food and beverages
4- URL link	https://www.nestle.co.id/ina/tentangnestle/corporatebusinessprinciple

Q57 Are there any co-regulation initiatives between businesses and public entities? **Yes**

Consumer Protection Survey

Q58 Please provide (up to) 4 examples of the co-regulation initiatives between businesses and public entities:

1- Name of initiative	MoU between Indonesian Retail Company Association (APRINDO) with Ministry of Trade
1- Scope of application	Food
1- URL link	http://www.kemendag.go.id/id/photo/2017/04/04/penandatangan-mou-antara-aprindo-dengan-distributor-gula-minyak-goreng-dan-daging?id=36485
2- Name of initiative	MoU between Indonesian Association of Beverage Food Entrepreneurs (GAPMMI) with National Standardization Agency (BSN) concerning education for standard implementation
2- Scope of application	Education for Standard Implementation
2- URL link	http://sijamas.bsn.go.id/kategori-kerjasama/read/kesepakatan-bersama-antara-bsn-dengan-gabungan-pengusaha-makanan-dan-minuman-seluruh-indonesia-gapmmi
3- Name of initiative	MoU between GAIKINDO with National Standardization Agency (BSN)
3- Scope of application	Product Quality
3- URL link	http://www.bsn.go.id/
4- Name of initiative	MoU between National Standardization Agency (BSN) with Asosiasi Kaca Lembaran dan Pengaman Indonesia (AKLP)
4- Scope of application	Human Resource Development Standardization and Conformity Assessment
4- URL link	http://sijamas.bsn.go.id/kategori-kerjasama/read/kesepakatan-bersama-antara-bsn-dengan-asosiasi-kaca-lembaran-dan-pengaman-indonesia-aklp

Q59 Do self-regulation and/or co-regulation initiatives cover any of the following issues? (Please relate to UNGCP Guideline 11)

- Fair and equitable treatment** ,
- Responsible commercial behaviour** ,
- Disclosure of information and transparency** ,
- Education and awareness-raising** ,
- Protection of privacy** ,
- Consumer complaints and disputes**

Consumer Protection Survey

Q60 What kind and how many international cooperation agreement(s) on consumer protection does your authority/agency participate in?

	Bilateral	Multilateral/Regional
Formal (treaties)	3	
Informal (memoranda of understanding)	1	

Q61 Please provide name and URL link of formal bilateral agreements (treaties):

International cooperation agreement with State Administration for Industry and Commerce, China (SAIC) ,
<http://home.saic.gov.cn/english/aboutus/Departments/>

International cooperation agreement with UNCTAD <https://unctad.org/>

<http://siswaspk.kemendag.go.id/asean/empowerment>

Q62 Please provide name and URL link of informal bilateral agreements (memoranda of understanding):

Consumer International <https://www.consumersinternational.org/>

ISO COPOLCO

<https://www.iso.org/copolco.html>

Q63 Please provide name and URL link of formal multilateral/regionals agreements (treaties) that address consumer protection:

ASEAN

<http://setnas-asean.id/tentang-asean>

Q64 Please provide name and URL link of informal multilateral/regionals agreements (memoranda of understanding) that address consumer protection:

International cooperation agreement with GIZ , <https://www.giz.de/en/workingwithgiz/55171.html>

Q65 Do cooperation agreements on consumer protection (be those formal/informal/bilateral/regional) cover any of the following fields?

Consumer information

Q66 Does your consumer protection enforcement authority/agency have any of the following powers regarding cross-border fraudulent and deceptive commercial practices affecting consumers?

Other (please specify):
NO

Q67 Do you have any experience in cross-border cooperation on enforcement?

No

Consumer Protection Survey

Q68 If you do, please provide a short description

NO

Q69 Do you engage in technical cooperation or capacity building activities on consumer protection?

	Bilaterally	Through an international organization/network
As a recipient	No	No
As a donor	No	No

Q70 If you have engaged in technical cooperation or capacity building activities on consumer protection as a recipient/as donor and/or through an international organization/network, please provide the following details for each initiative

1- Name of programme/project	N/A
1- Name of cooperating partner(s)	N/A
1- Starting date of programme/project	N/A
1- Finish date of programme/project	N/A
1- Scope of programme/project (list areas of work)	N/A
2- Name of programme/project	N/A
2- Name of cooperating partner(s)	N/A
2- Starting date of programme/project	N/A
2- Finish date of programme/project	N/A
2- Scope of programme/project (list areas of work)	N/A

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Q71 Does your authority/agency carry out information and education initiatives? **Yes**

Consumer Protection Survey

Q72 Do information and education initiatives carried out by your authority/agency cover any of the following fields?

Health, nutrition, prevention of food-borne diseases and food adulteration

,

Product hazard,

Product labelling,

Legislation, dispute resolution,

Weight and measures, prices and quality ,

Environmental protection,

Electronic commerce,

Financial services,

Efficient use of materials, energy, water ,

Sustainable consumption ,

Other (please specify):

Consumer education focused on the nine priority sectors based on Presidential Regulation No 50 Year 2017 Concerning Consumer Protection National Strategy
<https://drive.google.com/open?id=1kA8-jU2ZUJQpO9q0-SZOEoWk2M4bvTuh>

Q73 Does your authority/agency provide specific education and information initiatives for vulnerable and disadvantaged consumers?

Yes

Consumer Protection Survey

Q74 If your authority/agency does, please provide the following details:

1- Name of initiative	Identification / Verification and Investigation of Fields
1- Scope of initiative	Communities, businesses and related units, especially consumers who need protection
1- URL link	https://www.bpkn.go.id
1- Impact (short description)	One of the duties of the BPKN is to receive complaints from the public, LPKSM and business actors, so to collect data and information on complaints, identification/verification and field investigation are needed to deal with complaints by interviewing the victims or the surrounding environment which is the object of the problem that consumers complain about. as well as knowing directly the scene of the crime and the evidence of the physical object of the case that the consumer complained about. All complaints that go into BPKN from direct complaints or indirect complaints if it involves many people, and require serious attention, but from the regulatory and supervisory aspects, it does not go as expected, BPKN must investigate into the field to address the problems. Is the substance of the case necessary and must be answered by BPKN so that the case position is clear and the direction of the settlement is open or the substance of the complaint is a dispute that needs to be resolved to the relevant Agency to be resolved in accordance with its authority.

Q75 Do consumer organizations/associations provide education and information initiatives? **Yes**

Q76 If consumer organizations/associations do, please provide the following details:

1- Name of consumer organization/association	Non-Government Consumer Protection Agency (Lembaga Perlindungan Konsumen Swadaya Masyarakat – LPKSM)
1- URL link of initiative	http://siswaspk.kemendag.go.id/daftarlpksm

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Q77 Does your authority/agency conduct research and analysis on consumer protection issues? **Yes**

Consumer Protection Survey

Q78 If your authority/agency does, please provide the following details:

1- Main area of work	Research and analysis focused on the nine priority sectors based on Presidential Regulation No 50 Year 2017 Concerning Consumer Protection National Strategy
1- URL link to online library or publication(s)	https://www.bpkp.go.id

Q79 Do other organizations/associations conduct research and analysis on consumer protection? **Yes**

Q80 If other organizations/associations do, please provide the following details:

1- Main area of work	Non-Government Consumer Protection Agency (Lembaga Perlindungan Konsumen Swadaya Masyarakat – LPKSM) such as Indonesian Consumers Foundation (Yayasan Lembaga Konsumen Indonesia – YLKI) conduct research based on existing issues in the field related to consumer protection
1- URL link to online library or publication(s)	https://ylki.or.id/
