

## **ATTACHMENT**

Decision of Chairman of

Capital Market Supervisory Agency

Number : Kep-36/PM/2003

Date : 30 September 2003

### **RULE NUMBER X.K.2 : OBLIGATION TO SUBMIT PERIODIC FINANCIAL STATEMENTS**

#### 1. General

- a. Periodic financial statements in this rule are defined as annual financial statements and semi annual financial statements.
- b. Every Issuer and Public Company whose Registration Statement has become effective must submit periodic financial statements in 4 (four) copies to Bapepam, in which one of them is original version.
- c. The financial statements consist of:
  - 1) a balance sheet;
  - 2) a profit and loss statement;
  - 3) a retained earnings statement;
  - 4) a cash flow statement;
  - 5) other reports and explanations that are an integral part of the financial statements, if required, such as commitment and contingency statements for Issuers and Public Companies in the banking sector.
  - 6) notes to the financial statements; and
- d. Financial statements must be presented in Bahasa.
- e. Financial statements must be presented in a format that provides a comparison with the same period in the previous year.
- f. Financial statements should be presented in accordance with the generally accepted accounting principles as set in Financial Accounting Standards issued by the Indonesian Institute of Accountants and any other accounting requirements established by Bapepam.

Elements of financial statements of Issuers and Public Companies in industries for which accounting treatment has not been specified in the Financial Accounting Standards issued by the Indonesian Institute of Accountants and other accounting practices in the Capital Market should at least be presented and explained in accordance with the form and content which are requested for financial statements submitted as part of the Registration Statement.

#### 2. Annual Financial Statements

- a. The annual financial statements must be accompanied by an auditor's report with an opinion and be submitted to Bapepam no later than the last day of the third month after the annual report date.
  - b. In the event that the Issuer or Public Company has already submitted the annual report before dateline for submitting the annual financial statement, the Issuers or Public Company is not required to submit the annual financial report.
  - c. The annual financial statements must be disclosed to the public with the following requirements:
    - 1) the company must publish a balance sheet, profit and loss statement, and other statements required by the relevant authority according to the type of industry in at least 2 (two) Indonesian newspapers one of which has a nation-wide circulation, and the other is published in the Issuer's or the Public Company's domicile, no later than the last day on the third month after the annual report date;
    - 2) Medium or Small Enterprises must publish a balance sheet, profit and loss statement, and other statements required by relevant authority according to the type of industry in at least 1 (one) Indonesian newspaper that has a nation-wide circulation;
    - 3) the form and content of the published balance sheet, profit and loss statement and other statements required by each own industrial authority must be similar to those presented in the annual report that is submitted to Bapepam; and
    - 4) the publication must include the Auditor opinion;
    - 5) proof of publication must be submitted to Bapepam no later than 2 (two) work days after the announcement date.
  - d. If there are differences between the semi-annual financial statements presented to the public and the annual financial statements covering the same period, explanation regarding the differences should be disclosed in notes to the financial statements. The differences occurred mainly because of the correction suggested by the Independent Auditor in conducting annual financial statement audit activity. The notes must also include the differences in net income and things that caused such differences to occur.
  - e. The annual financial statements shall be included in the annual report for the purpose of the Shareholders General Meeting.
3. Semi-Annual Financial Statements
- a. The semi annual financial statements must be submitted to Bapepam:
    - 1) no later than the last day of the first month after the semi-annual report date, if they are unaudited;
    - 2) no later than the last day of the second month after the semi-annual report date, if they are accompanied by an auditor's limited review report; and

- 3) no later than the last day of the third month after the semi-annual report date, if the financial statements are audited and accompanied by the auditor's opinion.
  - b. The semi-annual financial statements should be presented based on the same principles as the annual financial statements, and they should also include adjustments at the end of accounting period to provide information on an accrual basis.
  - c. If there are any differences between semi-annual financial statements and the annual financial statements of the same period, the semi-annual financial statements presented for comparison with those in the next period must be restated in accordance with the data in the annual financial statements.
  - d. Semi-annual financial statements must be disclosed to the public with the following requirements:
    - 1) the company must publish the balance sheet, profit and loss statement and other statements required by each own industrial authority at least in 1 (one) Indonesian newspaper that has a nation-wide circulation;
    - 2) the form and content of the published balance sheet, profit and loss statement and other statements required by each own industrial authority must be the same as those presented in the semi-annual financial statements submitted to Bapepam;
    - 3) the announcement must be made within the required period for submitting semi-annual financial statements to Bapepam; and
    - 4) proof of the publication must be submitted to Bapepam no later than 2 (two) working days after the announcement date.
4. In the event that the financial statement of an Issuer or Public Company granted opinion other than unqualified opinion, the announcement as stipulated in item 2 letter c of this rule, should contain the following information:
  - a. paragraph of auditor's explanation regarding his opinion, at least containing the following information:
    - 1) restriction of scope of audit;
    - 2) deviation from the general accounting principles;
    - 3) explanation of uncertainty, includes going concern of the company and potential of loss; and or
    - 4) major impact of deviation from financial statement; and
  - b. response from the management to the auditor's opinion as stipulated in the letter a above.
5. In the event that the due date of submission of the financial statement is holiday, the financial statement should be submitted on the previous working day. The submission does not alter the due date of submission of the financial statement. The calculation of number day of delay starts from the first day after the due date of submission of the financial statement as stipulated in item 2 letter a and item 3 letter a of this rule.

6. By no means undermining criminal stipulation in capital market, Bapepam may impose sanctions on any violations of this rule, as well as on any Person that causes the violation to occur.

Enacted in : Jakarta  
Date : 30 September 2003

Chairman of Capital Market Supervisory Agency

Signed

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Based on the original document  
Executive Secretary

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