

CHANGES IN MANDATORY INVESTMENT ACTIVITY REPORT (LKPM) SUBMISSION THROUGH OSS-RBA

October 20th, 2022

CLIENT ALERT

As all of us might be aware, the Online Single Submission with Risk Based Approach (OSS-RBA) System has been fully implemented along with the enforcement of OSS-RBA products in the field. Recently, one of most significant impacts of the implementation of OSS-RBA is the website of LKPM report has been closed and switched to the feature of “*Pelaporan – Laporan LKPM*” (“Report – LKPM Report”) on OSS-RBA that just launched in July 2022. Briefly, LKPM is a report of investment realization of foreign company that mandatory to be submitted on quarterly schedule from the date of 1 to 10 of the relevant month. As a matter of course, the procedure and form of LKPM report being subjected to ongoing changes and/or adjustments of the OSS-RBA system itself, *even, in fact*, the form of LKPM report for Quarter 2 of 2022 has a significant change as it’s been updated to form of LKPM report for Quarter 3 of 2022.

Whilst one thing for sure is only KBLI code(s) that have been verified on OSS-RBA eligible to submit LKPM through OSS-RBA. It means that all business enterprises are encouraged to conduct Data Migration and verify all of its KBLI code(s) on OSS-RBA. It is worth noting that obtaining the *Hak Akses* (access right) to OSS-RBA account not consequentially indicates that data and KBLI code of your company and has been migrated to OSS-RBA, whereupon it shall be proceeded by compliance procedure of data migration. Those who have not conducting Data Migration and verifying its KBLI code(s) on OSS-RBA would not find and be able submit the form of LKPM of relevant KBLI code(s) on their OSS-RBA account.

PT Fair Consulting Indonesia, as Investment Consultant, it is our position to advise you that Data Migration, as well as periodical LKPM report submission is mandatory to be done as it is subject to administrative sanctions that might lead to the suspension, even abolition of business licenses pursuant to the prevailing laws and regulations on risk-based business licensing. Ever since, incompliance to LKPM report submission will be scored and directly monitored under the supervision of BKPM. You can find out your company's score in the feature of “*Profil Pelaku Usaha*” (“Profile of Business Enterprise”) on OSS-RBA.

We understand that OSS-RBA system is difficult to adapt due to undergoing development, improvement, changes, and/or adjustment in its features. The impact of these changes is still not fully understood until we have consulted the matter with the OSS-RBA officer directly. Of course, it will need more time, experience, and knowledge to get this done since there will be problem occurred, many other things are the data itself can't be synchronized into the new OSS-RBA system and required the assistance from OSS-RBA officer accordingly.

Therefore, we would like to extend our hand in order to assist any of our clients to migrate their data to OSS-RBA for the purpose of acquisition of NIB of OSS-RBA and verification of each of their KBLI code(s) so they will be eligible to submit LKPM. Attached, we render our Proposal that includes all the work to be done to synchronize and migrate your company's data to OSS RBA as well as LKPM report submission.

Should you have questions, please do not hesitate to contact us. This Client Alert relates to general information only and does not constitute legal advice. Facts and circumstances vary. We make no undertaking to advise recipients of any legal changes or developments.