

REGULATION OF GOVERNMENT OF THE REPUBLIC OF INDONESIA
NUMBER 49 OF 2005

ON
GUIDELINES FOR NEWS COVERING ACTIVITIES
OF FOREIGN BROADCASTING INSTITUTIONS

BY THE GRACE OF THE ONE AND ALMIGHTY GOD

PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering: : that to implement the provisions of Article 30 paragraph (3) of Law Number 32 of 2002 on Broadcasting, it is necessary to stipulate a Government Regulation on Guidelines for News Covering Activities of Foreign Broadcasting Institutions.

Noting : 1. Article 5 paragraph (2) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 32 of 2002 on Broadcasting (State Gazette of the Republic of Indonesia Year 2002 Number 139; Supplement to the State Gazette of the Republic of Indonesia Number 4252);
3. Law Number 40 of 1999 on Press (State Gazette of the Republic of Indonesia Year 1999 Number 166; Supplement to the State Gazette of the Republic of Indonesia Number 3887).

HAS DECIDED:

To establish : GOVERNMENT REGULATION ON GUIDELINES FOR NEWS COVERING ACTIVITIES OF FOREIGN BROADCASTING INSTITUTIONS.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Government Regulation, the following terms have the following meanings:

1. Broadcast and Broadcasting mean as referred to in Law Number 32 of 2002 on Broadcasting.

2. Foreign Broadcasting Institution means broadcasting institution established under the provisions of foreign laws and regulations and/or having its head office abroad.
3. Minister means the minister whose scope of duties and responsibilities is in the field of communications and informatics.

CHAPTER II
GUIDELINES FOR NEWS COVERING ACTIVITIES

Part One
General Provisions

Article 2

Foreign Broadcasting Institutions shall not be established in Indonesia.

Part Two
Activities and Licensing

Article 3

Foreign Broadcasting Institutions may only operate broadcasting activities impermanently and/or conduct journalistic activities in Indonesia with a license from the Minister.

Article 4

Foreign Broadcasting Institutions operating impermanent broadcasting activities from Indonesia may import satellite broadcast transmitter and receiver equipment after obtaining a license from the Minister.

Article 5

- (1) Foreign Broadcasting Institutions may establish foreign broadcasting bureaux or station correspondents to conduct journalistic activities in Indonesia with a license from the Minister.
- (2) Foreign broadcasting bureaux shall carry out administrative activities to support impermanent broadcasting and journalistic activities in Indonesia.
- (3) The foreign broadcasting bureaux as referred to in Article (2) shall not own broadcasting stations in Indonesia.

Article 6

Foreign Broadcasting Institutions and foreign broadcasting bureaux to conduct journalistic activities in Indonesia, whether to be broadcast in the form of live or recorded audio and/or video, shall comply with the prevailing laws and regulations.

Article 7

Further provisions on the works and procedures for obtaining licenses for Foreign Broadcasting Institutions operating in Indonesia as referred to in Article 3, Article 4, and Article 5 shall be stipulated by the Minister.

CHAPTER III
CLOSING PROVISION

Article 8

This Government Regulation shall come into force from the date of its promulgation.

Established in Jakarta
on 16 November 2005

PRESIDENT OF THE REPUBLIC OF INDONESIA,

signed

DR. H. SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta
on 16 November 2005

MINISTER OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

signed

HAMID AWALUDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2005
NUMBER 126

ELUDICATION
OF
REGULATION OF GOVERNMENT OF THE REPUBLIC OF INDONESIA
NUMBER 49 OF 2005
ON
GUIDELINES FOR NEWS COVERING ACTIVITIES
OF FOREIGN BROADCASTING INSTITUTIONS

I. GENERAL PROVISIONS

Following the promulgation and enforcement of Law Number 32 of 2002 on Broadcasting on 28 December 2002, there have been significant changes to Indonesia's broadcasting sphere. Radio and television broadcastings both in cities and in villages have continued to grow.

This is made possible with the license granted for the operations of local television and radio broadcasting institutions that pave the way for the public to run business in the broadcasting sector.

Nevertheless, Foreign Broadcasting Institutions are prohibited to be established in Indonesia and may only open their bureaux or station their correspondents to carry out journalistic activities in the country with a license from the Indonesian Government. Therefore, it is necessary to set out a guideline for reporting activities for foreign broadcasting institutions in carrying out their journalistic activities in Indonesia.

Provisions on Foreign Broadcasting Institution are mandated by Article 30 paragraph (1), paragraph (2), and paragraph (3) of Law Number 32 of 2002 on Broadcasting. In accordance with the aforementioned law, stipulation Foreign Broadcasting Institutions shall be in the form of a Government Regulation.

Furthermore, in accordance with Article 5 paragraph (2) of the 1945 Constitution of the Republic of Indonesia and Ruling of the Constitutional Court with Case Number 005/PUU-1/2003 dated 28 July 2004, the Government—coordinated by a Minister responsible in the communications and informatics sector—established this Government Regulation. Also included in this Government Regulation are provisions on broadcasting and radio frequency spectrum fields for the purpose of television and radio broadcasting operations with contents to be formulated relating to Guidelines for Reporting Activities for Foreign Broadcasting Institutions, including general provisions, guidelines for coverage activities, and closing provision.

II. ARTICLE BY ARTICLE

Article 1

Self-explanatory.

Article 2

Self-explanatory.

Article 3

Impermanent broadcasting and/or journalistic activities mean activities that are not carried out periodically that cover events in Indonesia that appeal to the international community.

Article 4

Self-explanatory.

Article 5

Paragraph (1)

Foreign broadcasting bureaux mean bureaux to support journalistic activities of Foreign Broadcasting Institutions' correspondents in Indonesia.

Paragraph (2)

Self-explanatory.

Paragraph (3)

Self-explanatory.

Article 6

Self-explanatory.

Article 7

Self-explanatory.

Article 8

Self-explanatory.

SUPPLEMENT TO STATE GAZETTE OF THE REPUBLIC OF INDONESIA
NUMBER 4565

This unofficial English translation is brought by the collaboration between Government translators from Ministry of Communications and Informatics and Cabinet Secretariat: Andhika Widyarani, Aulia Astagina Ramadhani, Chrisna Harimurti, Cintami Agnes Selviani, Erik Limantara, Ivan Atmanagara, Muhammad Ersan Pamungkas, Muhardi, Penni Patmawati Rusman, and Siti Chodijah.