

REGULATION OF MINISTER OF COMMUNICATIONS AND INFORMATICS
OF THE REPUBLIC OF INDONESIA
NUMBER 5 OF 2021
ON
TELECOMMUNICATIONS OPERATIONS

BY THE GRACE OF THE ALMIGHTY GOD

MINISTER OF COMMUNICATIONS AND INFORMATICS
OF THE REPUBLIC OF INDONESIA,

Considering : that to implement the provisions in Article 294 paragraph (5), Article 474 paragraph (1), and Article 502 paragraph (2) of Government Regulation Number 5 of 2021 on Risk-Based Business Licensing Operations, and Article 44 of Government Regulation Number 46 of 2021 on Post, Telecommunications, and Broadcasting, it is necessary to establish Regulation of Minister of Communications and Informatics on Telecommunications Operations;

Noting :
1. Article 17 paragraph (3) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 36 of 1999 on Telecommunications (State Gazette of the Republic of Indonesia Year 1999 Number 154, Supplement to the State Gazette of the Republic of Indonesia Number 3881);
3. Law Number 39 of 2008 on State Ministries (State Gazette of the Republic of Indonesia Year 2008 Number 166, Supplement to the State Gazette of the Republic of Indonesia Number 96);
4. Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia Year 2020 Number 245, Supplement to the State Gazette of the Republic of Indonesia Number 6573);

5. Government Regulation Number 52 of 2000 on Telecommunications Operations (State Gazette of the Republic of Indonesia Year 2000 Number 107, Supplement to the State Gazette of the Republic of Indonesia Number 3980);
6. Government Regulation Number 5 of 2021 on Risk-Based Business Licensing Operations (State Gazette of the Republic of Indonesia Year 2021 Number 15, Supplement to the State Gazette of the Republic of Indonesia Number 6617);
7. Government Regulation Number 46 of 2021 on Post, Telecommunications, and Broadcasting (State Gazette of the Republic of Indonesia Year 2021 Number 56, Supplement to the State Gazette of the Republic of Indonesia Number 6658);
8. Presidential Regulation Number 54 of 2015 on the Ministry of Communications and Informatics (State Gazette of the Republic of Indonesia Year 2015 Number 96);
9. Regulation of Minister of Communications and Informatics Number 6 of 2018 on Organization and Work Procedure of Ministry of Communications and Informatics (Official Gazette of the Republic of Indonesia Year 2018 Number 1019);

HAS DECIDED TO:

Establish : REGULATION OF MINISTER OF COMMUNICATIONS AND INFORMATICS ON TELECOMMUNICATIONS OPERATIONS.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Ministerial Regulation:

1. Telecommunications means any emission, transmission, and/or reception of information in the forms of signs, signals, writings, images, voices and sounds through wire, optic, radio, or other electromagnetic systems.
2. Telecommunications Network means a series of Telecommunication equipment and its paraphernalia used in Telecommunications.
3. Telecommunications Service mean services aimed at fulfilling the purposes of telecommunications by using telecommunications networks.
4. Telecommunications Numbering means a combination of digits that characterizes Telecommunications customers' identities, areas, network elements, operators, or services.
5. Telecommunications Operation means the activities of provision and facilitation of Telecommunications services that enable Telecommunications.
6. Telecommunications Operator means company, cooperative, regional government-owned enterprise (BUMD), state-owned enterprise (BUMN), private enterprise, government institution, and state security and defense institution.
7. Telecommunications Network Operator means state-owned enterprise (BUMN), regional government-owned enterprise (BUMD), private enterprise, or cooperative obtaining Telecommunications Network Operation Business Licensing.
8. Telecommunications Network Operation means provision and/or facilitation of Telecommunications Network that enables Telecommunications operations.
9. Fixed network operation means networks operation activity for fixed telecommunications provision which is intended for the operation of public telecommunications on leased circuits.
10. Submarine Cable Communications System, hereinafter referred to as SKKL, means a Telecommunications transmission system using cable media stretched under the sea and/or ocean to connect several cable stations in each country through which it passes.
11. International Telecommunications Transmission Submarine Cable Communications System Landing Rights, hereinafter referred to as SKKL Landing Rights, means rights reserved for Telecommunication Network Operators in providing international Telecommunications transmission

facilities directly to the territory of the Unitary State of the Republic of Indonesia by means of cooperation with foreign enterprises.

12. Telecommunications Service Operator means state-owned enterprise (BUMN), regional government-owned enterprise (BUMD), private enterprise, or cooperative obtaining Telecommunications Service Operation Business License.
13. Telecommunications Services Operation means provision and/or facilitation of Telecommunications Services that enable Telecommunications.
14. Basic Telephony Service Operation means Telecommunications Service Operation providing basic telephony services using circuit-switched technology or other technologies.
15. Value-added Telephony Service Operation means Telecommunications Service Operation providing value-added service for basic telephony service.
16. Multimedia Service Operation means Telecommunications Service Operation providing information technology-based service other than Basic Telephony Service Operation and Value-added Telephony Service Operation.
17. Operation Worthiness Test means technical and operational system testing in compliance with the minimum standards of Telecommunications Operation.
18. Telecommunications Operations Rights Fee, hereinafter referred to as Telecommunications BHP, means the fee payable by any Telecommunications Operators and constitutes Non-Tax State Revenue.
19. Universal Service Obligation Contribution, hereinafter referred to as USO Contribution, means an obligatory contribution that shall be given by any Telecommunication Operators in the form of fund based on a certain percentage of the gross revenue of Telecommunication Operations which constitutes Non-Tax State Revenue and/or other contributions.
20. Gross Revenue means the total income of Telecommunications Operations generated from any business activities related to the obtained Telecommunications Operation Business License.
21. Call Center Service means a type of service in the Telecommunications Service Operation that provides telephony call center services for information seeking for the benefit of Call Center Service Customers.
22. Internet Access Service (Internet Service Provider), hereinafter referred to as ISP, means a type of service in the Telecommunications Service

- Operation that provides internet service for Subscribers to be connected to the public internet network.
23. Network Access Point Service, hereinafter referred to as Network Access Point (NAP) Service, means a type of service in the Telecommunications Service Operation that provides internet traffic distribution services and routing for other Telecommunication Service Operators to be connected to the international internet network (IP Transit), to be connected to other NAP operators, and to serve as a point of distribution for domestic Internet access (Internet Exchange), and may function as a temporary storage (caching) and/or controller of the of internet content distribution.
 24. Registration means recording of the identity of a Telecommunications Service Subscriber by a Telecommunications Service Operator.
 25. Deregistration means removal of the identity record of Telecommunications Service Subscriber by a Telecommunications Service Operator.
 26. Starter Pack means a card used by a Telecommunications Service Subscriber to use Postpaid or Prepaid Telecommunications Services.
 27. Prepaid System means a system in which the payment is made prior to service period through a Starter Pack purchase and a Prepaid deposit top-up.
 28. Mobile Subscriber Integrated Services Digital Network Number, hereinafter referred to as MSISDN Number, means a number that uniquely identifies the Subscriber on a cellular mobile network.
 29. Subscriber Validity means the concordance between the identity of the Subscriber and the person who uses the identity of the said Subscriber.
 30. Verification means the process of visually matching pre-Subscribers' data by Registration officers.
 31. Verification of Telecommunication BHP means **matching** and examining the validity of reports, payments, statements, and calculations of Telecommunication BHP.
 32. Verification of USO Contribution means **matching** and examining the validity of reports, payments, statements, and calculations of USO Contributions.
 33. Validation means the process of matching pre-Subscribers' identity with Population Data held by government institution overseeing population affairs.
 34. Population Data means individual data and/or structured aggregate data as a result of Population Registration and Civil Registration activities.

35. Citizenship Identification Number, hereinafter abbreviated as NIK, means a resident identity number that is unique or distinctive, singular and attached to a person who is registered as an Indonesian Citizen.
36. Machine-to-Machine, hereinafter abbreviated as M2M, means a direct communication between Telecommunication devices without human intervention.
37. Know Your Customer (KYC) principle means a principle applied to find out the identity of a customer is correct and used by the rightful person.
38. Tariff Distribution, hereinafter referred to as De-Averaging, means the distribution of tariffs for the use of basic telephony services, value-added telephony services, and/or multimedia services.
39. Bundling means a combination of several types of products or services.
40. Service Package Tariff means a tariff that is applied based on the service type, location, volume, and period with a certain validity period.
41. Time Sharing, hereinafter referred to as Time Band, means the time determined by the Telecommunication Service Operator based on peak and non-peak hours.
42. Service Product means a type of service provided by the Operator to be offered to Subscribers.
43. Area of Charge means an area in the scale of charging, where the tariff set as the basis for calculating billing to the Subscribers applies.
44. Roaming Service means a condition in which a Subscriber using a Telecommunications Network is outside the area where the Subscriber is registered.
45. On-net call means voice call, Short Message Service/SMS, and/or Multimedia Messaging Service/MMS originating from and ending with a Subscriber in the same Operator.
46. Off-net call means voice call, Short Message Service/SMS, and/or Multimedia Messaging Service/MMS originating from a Telecommunications Service Operator to another Telecommunications Service Operator.
47. Postpaid System means a system in which the payment made at the end of the service period through a billing according to services usage during the period.
48. Prepaid Deposit means the total balance owned by Prepaid Telecommunication Network Subscribers and recorded in the system belonging to the Telecommunications Network Operator.

49. Connection means the connected state of Telecommunication Service equipment to Telecommunication Networks such as servers, service nodes, and routers.
50. Interconnection means linking between telecommunications Networks of different Telecommunications Network Operators.
51. Interconnection Fee means fee that is charged for the linking of different Telecommunication Networks between 2 (two) or more Telecommunications Network Operators.
52. Reference Interconnection Offer, hereinafter referred to as RIO, means a document that contains technical, operational, and economic aspects of the provision of Interconnection services offered by a Telecommunications Network Operator to other Telecommunications Operators.
53. Numbering Block means a combination of area code and number block in local Fixed Network Operation or a combination of National Destination Code (NDC) and Area of Charging identity in a cellular mobile network operation.
54. Access Seeker means a Telecommunications Network Operator who submits a new application for Interconnection services and access to essential facilities for interconnection in any Point of Interconnection.
55. Essential Facilities for Interconnection, hereinafter referred to as the EFI, means various facilities which constitute civil infrastructure of a Telecommunications Network, in which access to these facilities is imperative for the implementation of Interconnection in order to install and operate the equipment needed by Access Seekers to transport Interconnection Traffic from and/or to its network.
56. Interconnection Traffic means basic telephony service traffic consisting of main features, namely telephony, fax, Short Message Service (SMS), and/or Multimedia Messaging Service (MMS), and additional features, including but not limited to, Rich Communication Services (RCS) in an Interconnection.
57. Access Provider means a Telecommunications Network Operator that provides Interconnection services and access to the EFI to another Telecommunications Network Operator who submits a new application in any Point of Interconnection.
58. Originating Operator means a Telecommunications Network Operator from which traffic originates or a Telecommunications Network Operator who generates Interconnection Traffic to another Telecommunications Network Operator.

59. Terminating Operator means a Telecommunications Network Operator that terminates an Interconnection Traffic.
60. Point of Interconnection means a physical location reference point where Interconnection occurs and serves as the demarcation point between a network part owned by to a Telecommunications Network Operator and a network part owned by another Telecommunications Network Operator in an Interconnection, which constitutes the limit point of authority and responsibility regarding Telecommunications Network provision, management, and maintenance.
61. Interconnection Link is a link used for the purpose of distributing Interconnection Traffic that connects the gateway central owned by another Telecommunication Network Operator.
62. Interconnection Area of Charge means a reference area, which is a geographical location, to determine the amount of Interconnection Fee and responsibility for Interconnection Traffic.
63. Origination means an initiation of traffic to a Point of Interconnection from an Originating Operator.
64. Local Origination means an Origination where the Point of Interconnection is in the same Interconnection Area as the Originating Operator's Interconnection Area of Charge.
65. Remote Origination means an Origination where the Point of Interconnection is in a different Interconnection area from the Interconnection Area of charge of the Originating Operator.
66. International Origination means an Origination addressed to the International Gateway center owned by Fixed International Direct Dialing Network Operators.
67. Transit means the transporting of Interconnection Traffic from an Originating Operator to a Terminating Operator through another Telecommunications Network Operator.
68. Local Transit means a Transit where the two Points of Interconnection, namely from the Originating Operator and the Transit Operator as well as Points of Interconnection from the Transit Operator and Terminating Operator, are in the same Interconnection Area of Charge.
69. Long Distance Transit means a Transit where the two Points of Interconnection from the Originating Operator and Transit Operator as well as the Point of Interconnection from the Transit Operator and Terminating Operator are in different Interconnection Areas of Charge.
70. International Transit means a Transit from the Originating Operator to the International Gateway center owned by Fixed International Direct

Dialing Network Operators and a Transit from the International Gateway center owned by Fixed Network Operators for International Direct Dialing to the Termination Operator.

71. Termination means the termination of Interconnection Traffic from the Point of Interconnection to the Terminating Operator.
72. Local Termination means Termination where the Point of Interconnection is in the same Interconnection Area of Charge as the Interconnection Area of Charge of the Terminating Operator.
73. Remote Termination means Termination where the Point of Interconnection is in an Interconnection Area of Charge that is different from the Area of Charge of the Terminating Operator.
74. International Termination means Termination originating from the international gateway center owned by the Fixed Network Operator for International Direct Dialing.
75. Network Lease means the provision of a transmission network that is used as a backbone network, backhaul network, and/or access network by a Telecommunications Network Operator for a Network Lease Subscriber based on an agreement for a certain period of time with agreed tariffs and service level agreement.
76. Network Lease Subscriber means a juristic person and/or a government agency that uses contract-based Network Lease services.

77. Network Lease Tariff means the amount of fees charged to a Network Lease Subscriber incurred from the use of Network Lease services provided by a Telecommunications Network Operator and collected in a period in accordance with the agreement.
78. Mediation means the settlement of an Interconnection and Network Lease dispute by the Director General who acts as a mediator.
79. Operator Blacklist means a list that contains the identity of board of directors, management, and/or juristic persons who are given administrative sanctions in accordance with the provisions of laws and regulations.
80. Day means calendar day.
81. Working Day means Monday to Friday, except for national holidays determined by Government.
82. Fiscal Year means a period of 1 (one) year starting from January to December.

83. Subscriber means any individual, juristic person, government agency that uses Telecommunications Network and/or Telecommunications Services based on a contract.
84. User means any individual, juristic person, government agency that uses Telecommunications Networks and/or Telecommunications Services not based on a contract.
85. Consumer means a Subscriber and User.
86. Business Licensing means a legal permit granted to business player to start and operate its business and/or activities.
87. Business Player means a natural person or business enterprise that carries out business and/or activities on certain fields.
88. Resale of Telecommunications Services means an activity to resell Telecommunications Services.
89. Internet Protocol Number, hereinafter referred to as IP Number, means the main resource for the operation of internet communication.
90. Internet Protocol Address means an identification address assigned to any equipment to be connected to the internet network using the internet protocol.
91. Autonomous System Number means a number used to identify a group consisting of one or more internet protocols that are connected to other groups in a clearly defined connection policy.
92. IP Number management means the scope of activities for distribution, administration, and maintenance operation of the IP Number system.
93. Regional IP Number Registry means the IP Number registry for the Asia Pacific region.
94. National IP Number Registry means IP Number registry for Indonesia.
95. Local IP Number Registry means an organization or institution that receives the allocation of IP Number from the National IP Number Registry and reallocates part of the IP Number to its subscribers.
96. IP Number User means parties who use IP Numbers.
97. Alarm means information sent by network elements (Cell, Base Transceiver Station (BTS), transmission, Base Station Controller/Radio Network Controller (BSC/RNC), core, fixed broadband) in the event of any Fault which affects the availability of services such as Element Down/Blocked/Intermittent, and Element Failure.
98. Near Real-Time means the time of delivery of disruption which is not later than 40 (forty) minutes from the time of occurrence of each incident.
99. Fiber Optic (FO) Cut means disruption that occurs in the fiber optic network due to the disconnection of the Fiber Optic (FO) network.

100. Person means a natural person, either Indonesian citizen, foreign citizen, or juristic person.
101. State Administrative Agency means a legislative, executive, and judicial institution at the central and regional levels as well as other agency established under the provision of laws and regulations.
102. Inspecting Agency means the National Government Internal Auditor.
103. Minister means the minister who oversees government affairs in the field of communications and informatics.
104. Ministry means the ministry that oversees government affairs in the field of communications and informatics.
105. Directorate General means the Directorate General of Posts and Informatics Operation whose duties and functions are in the field of Telecommunications Operations.
106. Telecommunication and Information Accessibility Agency, hereinafter abbreviated as BAKTI, means a non-echelon organizational unit within the Ministry of Communications and Informatics that applies the Financial Management of the Public Service Agency pattern, under the authority of and is responsible to the Minister through the Secretary General.
107. Director General means the Director General whose scope of duties and functions is in the field of Posts and Informatics Operation.
108. President Director means the President Director of BAKTI who is the Proxy of Budget User (KPA) of BAKTI who is appointed by the Minister in accordance with the provisions of Laws and Regulations.
109. Director means the Director whose duties and functions are in the field of posts and informatics control.
110. Revenue Treasurer means the revenue treasurer of the Directorate General appointed by the Minister in accordance with the provisions of laws and regulations.
111. Operational Account Manager means the operational account manager of BAKTI appointed by the Minister in accordance with the provisions of laws and regulations.

CHAPTER II TELECOMMUNICATIONS NETWORK OPERATIONS

Article 2

- (1) Telecommunications Network Operation shall include:
 - a. Fixed Network operations; and

- b. mobile network operations.
- (2) The Fixed Networks operations as referred to in paragraph (1) letter a shall comprise:
- a. local Fixed Network operations;
 - b. long-distance direct dialing Fixed Network operations
 - c. international direct dialing Fixed Network operations
 - d. closed Fixed Network operations; and
 - e. other Fixed Network Operations determined by the Minister.
- (3) The mobile network operations as referred to in paragraph (1) letter b shall comprise:
- a. terrestrial mobile network operations;
 - b. cellular mobile network operations;
 - c. satellite mobile network operations; and
 - d. other mobile network operations determined by the Minister.
- (4) The closed Fixed Network operations as referred to in paragraph (2) letter d shall be Telecommunications Network Operations that provide networks for lease including, but not limited to, cables with or without active Telecommunication equipment, and networks provided using radio frequency spectrum.
- (5) Closed Fixed Network operators with plans to deploy cross-border international Telecommunication Networks (border communication) must coordinate with Telecommunication Operators in the other countries on the said cross-border in, including, but not limited to, provisions on Telecommunication Operation and harmonization of the use of radio frequency spectrum.
- (6) In the event that the closed Fixed Network Operator as referred to in paragraph (5) uses radio frequency spectrum, the Minister may coordinate with the telecommunications administration of the other countries.

Article 3

Parties owning network using cables and/or radio frequency spectrum without active Telecommunication equipment for lease to Telecommunication Operators and/or non-Telecommunication Operators must obtain Business Licensing for closed Fixed Network Operation.

CHAPTER III

DEVELOPMENT AND/OR SERVICE PROVISION OBLIGATIONS

Article 4

- (1) The Minister shall stipulate the minimum development and/or service provision obligations that must be fulfilled by any Telecommunications Network Operator and/or Telecommunications Service Operator in an area which is not an area of Telecommunication universal service by considering including, but not limited to:
 - a. efficiency and effectiveness;
 - b. availability, distribution, and Telecommunications service requirements;
 - c. Telecommunications development and/or service equity; and/or
 - d. improvement of quality of service.
- (2) The minimum development and/or service provision obligation as referred to in paragraph (1) shall be in the form of an annual obligation for a period of every 5 (five) years.
- (3) In fulfilling the obligations as referred to in paragraph (2) Telecommunications Network Operators must develop and/or provide Telecommunication Networks.
- (4) In fulfilling the obligations of developing and/or providing Telecommunication Networks as referred to in paragraph (3), Telecommunications Network Operators must comply with the technical provisions determined by the Director General.
- (5) In fulfilling development obligations of the first year, Business Licensing holders prepared to operate Telecommunications must apply for Operational Worthiness Test to the Director General.
- (6) In the event that there are additional types of services and/or changes in technology in the Telecommunications Operation, Business Licensing holders must apply for Operational Worthiness Test to the Director General.
- (7) The changes in technology as referred to in paragraph (6) shall include:
 - a. changes in standards of technology used based on international standards from the International Telecommunication Union/ITU; and/or
 - b. changes in the use of system from analog to digital.
- (8) The Director General shall issue an operation worthiness certificate in the event that the facilities and infrastructure are declared worthy of operation based on the evaluation results of the Operation Worthiness Test.

- (9) Technical guidelines for the implementation of the Operational Worthiness Test for Telecommunications operations as referred to in paragraph (5), paragraph (6), paragraph (7), and paragraph (8) shall be stated in Annex I which forms an integral part of this Ministerial Regulation.

Article 5

- (1) Telecommunications Network Operators may apply for adjustment of the annual minimum development and/or service provision obligations provided that it does not change the distribution pattern of development obligations that have been determined by the Minister.
- (2) Telecommunications Network Operators may apply for service termination (dismantlement) in an area under the following provisions:
- a. they consider the continuity of Telecommunications service;
 - b. they must inform their subscribers relating to service termination plans; and
 - c. the area where the service will be terminated is not part of the minimum development and/or service provision obligation as referred to in Article 4 paragraph (2).
- (3) Telecommunication Network Operator intending to terminate Telecommunications services in an area in accordance with the provisions of paragraph (2) must apply for service termination and obtain approval from the Minister.
- (4) The application for service termination as referred to in paragraph (3) must be submitted:
- a. at least 3 (three) months prior to the termination of service; and
 - b. by attaching proof of coordination of transfer of services to other operators in order to consider the continuity of Telecommunication services as referred to in paragraph (2) letter a.

Article 6

- (1) Telecommunication Network Operator shall open access to and from Telecommunication Networks funded by the state, including, but not limited to, funding originating from KPU/USO Contributions, based on an agreement.
- (2) The Minister shall oversee the opening of access to and from the Telecommunication Network as referred to in paragraph (1).

CHAPTER IV

QUALITY OF OPERATION STANDARDS

Article 7

- (1) Telecommunications Network Operator and/or Telecommunication Service Operator must fulfil quality of Telecommunications Operations standards.
- (2) The Director General shall determine quality of Telecommunications Operations standards as referred to in paragraph (1) with the following considerations that include, but not limited to:
 - a. ensuring fair business competition;
 - b. maintaining service performance; and
 - c. protecting consumer interests.

Article 8

In the event that Telecommunications Network Operator cooperate with Telecommunication Service Operator and/or other Telecommunications Network Operator, the content of the agreed Service Level Agreement (SLA) must comply with the quality of Telecommunications Operations standards as referred to in Article 7 paragraph (2).

CHAPTER V

BUSINESS ACTIVITIES THROUGH INTERNET

Part One

General Provisions

Article 9

- (1) Domestic and foreign Business Player that carry out business activities through the internet for Users in Indonesian territory in conducting business cooperation with Telecommunications Network Operator and/or Telecommunications Service Operator shall uphold fair, reasonable, and non-discriminatory principles and shall maintain quality of service in accordance with the provisions of laws and regulations.
- (2) The business activity through the internet as referred to in paragraph (1) shall be in the forms of:
 - a. Telecommunications service substitution;
 - b. audio and/or visual content service platform; and/or

- c. broadcast program substitution service and other services determined by the Minister.

- (3) The provision on cooperation with Telecommunications Network Operator and/or Telecommunications Service Operator as referred to in paragraph (1) shall not apply to Business Player, namely account owner and/or user on social media channel, content platform channel, marketplace channel, and other channels.

Part Two

Criteria for Significant Presence of Business Player Conducting Business Activities Through the Internet for Users in Indonesian Territory

Article 10

- (1) Significant presence of Business Player conducting business activities through the internet as referred to in Article 9 paragraph (2) for Users in Indonesian territory shall be determined by the following criteria:
 - a. percentage of traffic used by the Business Player is higher than or equal to 1% (one percent) of the domestic traffic; and/or
 - b. the number of active daily Users in Indonesia in a period of 3 (three) months is higher than or equal to 1,000,000 (one million) Users.
- (2) Domestic traffic as referred to in paragraph (1) letter a shall be the total internet traffic of which its entire distribution is only in Indonesian territory.
- (3) Information used in calculating domestic traffic and daily active Users as referred to in paragraph (1) may be obtained from:
 - a. ISP; and
 - b. cellular mobile Telecommunications Network Operator.

Part Three

Quality of Service and Traffic Management

Article 11

- (1) In maintaining the quality of service to its Users in accordance with the principles of fair business competition and/or the national interest, Telecommunications Network Operator and/or Telecommunications Service Operator may conduct traffic management.

- (2) Telecommunications Network Operator and/or Telecommunications Service Operator shall report to the Minister not later than 3 (three) months after carrying out traffic management as referred to in paragraph (1).
- (3) The Minister shall evaluate the traffic management report as referred to in paragraph (2).

Part Four

Internet of Things (IoT) Service Provision

Article 12

- (1) Connectivity provision for Internet of Things (IoT) services for various purposes shall be carried out after obtaining Telecommunications Service Operation Business Licensing for data communications system services or cooperating with Telecommunications Service Operator for data communications system services.
- (2) The connectivity as referred to in paragraph (1) shall be used by Business Players that carry out business activities in Internet of Things (IoT) services provision.
- (3) The connectivity provider as referred to in paragraph (1) must implement a unique addressing system including, but not limited to:
 - a. local MSISDN;
 - b. Device End User ID; or
 - c. IP number.

CHAPTER VI

COOPERATION ON INTERNATIONAL TELECOMMUNICATIONS TRANSMISSION SUBMARINE CABLE COMMUNICATIONS SYSTEM IMPLEMENTATION

Article 13

- (1) International Telecommunications transmission facilities provision through SKKL may be made by:
 - a. fixed international direct-dialing network operators; and/or
 - b. closed fixed network operators.

- (2) The Telecommunications Network Operators as referred to in paragraph (1) must build cable landing station (CLS) and/or lease it from Telecommunications Operators that own cable landing station (CLS).

Article 14

Foreign business enterprises that aim to provide international Telecommunications transmission facilities through SKKL directly to Indonesia must cooperate with Telecommunications Network Operators as referred to in Article 13 paragraph (1).

Article 15

- (1) Telecommunications Network Operators that aim to cooperate with foreign business enterprises as referred to in Article 14 must comply with the following provisions:
- a. declaring the ability to be responsible for fulfilling all obligations imposed on the international Telecommunications transmission SKKL in accordance with the provisions of laws and regulations;
 - b. being an SKKL operator that has been actively operating for a minimum of 5 (five) years and has achieved 100% (one hundred percent) development commitment for the first 5 (five) year;
 - c. being a member of consortium of international Telecommunications transmission SKKL construction and investing in submarine cable a minimum of 5% (five percent) of the total consortium investment in provision of all international SKKL in Indonesian territory;
 - d. having full rights and authority as controller in making decisions on the submarine cable system located in Indonesian territory as stated in consortium cooperation agreement;
 - e. having no non-tax state revenue obligations payable to the Ministry;
 - f. having a confirmed tax payer status from the ministry that administers government affairs in the financial sector;
 - g. controlling and operating international SKKL network landing in Indonesia;
 - h. reporting international SKKL as part of the development commitment before installation of the SKKL begins;
 - i. building cable station and/or leasing it from Telecommunications Operators that own cable station in location in accordance with the provisions of laws and regulations;

- j. following **corridor** of submarine cable in accordance with the provisions of laws and regulations;
 - k. following the rules for deploying SKKL in accordance with the provisions of laws and regulations;
 - l. having full control and management rights over the traffic sent and received at cable station;
 - m. providing facilities for the government to conduct lawful interceptions; and
 - n. considering the availability of international routes Telecommunication Network redundancy.
- (2) The cooperation as referred to in Article 14 shall be conducted after the fulfilment of the following requirements:
- a. information security and confidentiality;
 - b. personal data protection;
 - c. fair business competition;
 - d. the national and public interest;
 - e. national defense and security; and
 - f. international telecommunications transmission facilities efficiency at the national level.
- (3) The fulfilment of the requirements as referred to in paragraph (2) shall be proven by the Telecommunications Network Operators through an undertaking letter.

Article 16

- (1) Application for international Telecommunications transmission SKKL landing rights by Telecommunications Network operators as referred to in Article 14 shall be submitted to the Minister by enclosing the followings:
- a. a copy of the SKKL closed Fixed Network Operation Business Licensing;
 - b. a copy of the cooperation agreement for the provision of international Telecommunications transmission facilities through SKKL with foreign business enterprises; and
 - c. the undertaking letter as referred to in Article 15 paragraph (3).
- (2) The cooperation agreement as referred to in paragraph (1) letter b shall at least state:
- a. cooperation partners;
 - b. number and date of cooperation agreement;
 - c. types of cooperation;

- d. period of cooperation;
- e. International SKKL network topology;
- f. landing point, cable landing station and deployment routes/paths in accordance with the provisions of laws and regulations; and
- g. the number of network capacity provided, including the number of cores and network capacity.

Article 17

- (1) The Minister shall consider the efficiency of international Telecommunications transmission facilities provision on the national level before determining the Landing Rights.
- (2) In the process of evaluating the cooperation plan and granting Landing Rights, the Minister may coordinate with relevant ministries/institutions.
- (3) After the criteria and requirements as referred to in Article 15 and Article 16 are fulfilled, the Minister shall determine the Landing Rights.
- (4) The Landing Rights as referred to in paragraph (3) may be revoked in the event that the provisions as referred to in Article 15 paragraph (1) or Article 15 paragraph (2) are not fulfilled.

Article 18

- (1) The linking between the international Telecommunications transmission facilities through SKKL and the domestic network shall be made at the Point of Interconnection in a location fully controlled by the Telecommunications Operators as referred to in Article 14.
- (2) Telecommunications Network operators as referred to in Article 13 paragraph (1) must submit a report annually to the Minister regarding the operation of the international Telecommunications transmission SKKL that at least state:
 - a. traffic;
 - b. Customer;
 - c. network utilities; and
 - d. customers fees.
- (3) The report submitted annually by the Telecommunications Network Operators as referred to in paragraph (2) shall be evaluated by the Director General.

Article 19

- (1) In the event that the cooperation with the existing partner is expiring and not renewed, the foreign business enterprises as referred to in Article 14

- must find another cooperation partner of the Telecommunications Network Operators as referred to in Article 13 paragraph (1).
- (2) Once the cooperation as referred to in paragraph (1) expires, foreign business enterprises shall not carry out international connection transmission SKKL business activities.
 - (3) In the event that they fail to cooperate with other Telecommunications Network Operators within a period of 6 (six) months after the expiration of the cooperation as referred to in paragraph (2), the foreign business enterprises as referred to in Article 14 must hand over the SKKL assets located in Indonesia to the Telecommunications Network Operators as referred to in Article 13 paragraph (1).

CHAPTER VII
TELECOMMUNICATION INFRASTRUCTURE FACILITATION AND
COOPERATION

Part One

Provision and Utilization of Passive Infrastructure

Article 20

- (1) Telecommunications Network Operators in operating Telecommunications Networks may cooperate with passive infrastructure providers.
- (2) The Passive infrastructure as referred to in paragraph (1) shall comprise:
 - a. duct;
 - b. tower;
 - c. pole;
 - d. manhole/handhole; and/or
 - e. other passive infrastructure.
- (3) The passive infrastructure provider as referred to in paragraph (1) shall comprise:
 - a. the Central Government and/or Regional Governments;
 - b. state-owned enterprises and/or regional-owned enterprises;
 - c. private enterprises; and/or
 - d. juristic persons or other parties determined by the Minister.
- (4) The passive infrastructure providers of as referred to in paragraph (3) may cooperate with each other in providing passive infrastructure in accordance with the provisions of laws and regulations.

Article 21

Cooperation in the utilization of passive infrastructure shall be conducted in a fair, reasonable and non-discriminatory manner.

Article 22

Cooperation in the utilization of passive infrastructure must be stated in a written agreement and shall at least state:

- a. rights and obligations of Telecommunications operators and passive infrastructure providers;
- b. passive infrastructure utilization tariffs;
- c. utilization of passive infrastructure capacity;
- d. cooperation period; and
- e. dispute resolution.

Article 23

- (1) Passive infrastructure provider that provides passive infrastructure for Telecommunications purposes must open passive infrastructure utilization access to Telecommunications Operators.
- (2) The obligation of passive infrastructure providers to open access as referred to in paragraph (1) shall be fulfilled by providing equal opportunities to Telecommunications Operators to jointly utilize the passive infrastructure in accordance with the capacity and technical capability of the passive infrastructure.
- (3) The passive infrastructure provider must provide information on the availability of passive infrastructure capacity in a transparent and non-discriminatory manner.

Article 24

- (1) The passive infrastructure provider may not open passive infrastructure utilization access to the Telecommunications Operators in the event that:
 - a. the capacity is unavailable because it is already occupied;
 - b. the passive infrastructure is reserved for services for the greater public interest; and/or
 - c. the opening of access is not technically feasible .
- (2) In the event that the passive infrastructure provider fails to open access to the utilization of passive infrastructure as referred to in paragraph (1), the passive infrastructure provider shall provide a written statement on reasons for the denial to the Telecommunications Operators.

Article 25

- (1) Cooperation on passive infrastructure utilization shall ensure the continuity of quality of service.
- (2) To ensure the continuity of quality of service as referred to in paragraph (1), the cooperation on passive infrastructure utilization shall take into account passive infrastructure technical specifications.
- (3) In the event that problems occur in cooperation on passive infrastructure utilization, Telecommunications operators and passive infrastructure providers shall resolve the problems while prioritizing service continuity to Users according to the expected quality and public interest.

Article 26

In the event that passive infrastructure is available in one area, the Telecommunications Operators may utilize the passive infrastructure in accordance with the needs, availability of capacity, and technical capability of the passive infrastructure.

Article 27

- (1) Passive infrastructure sharing by Telecommunications Operators shall not cause harmful interference.
- (2) In the event that the passive infrastructure sharing causes harmful interference, Telecommunications Operators engaged in the passive infrastructure sharing as referred to in paragraph (12) shall resolve the harmful interference through coordination.

Part Two

Passive Infrastructure Utilization Tariff

Article 28

- (1) Passive infrastructure utilization tariff shall constitute a certain amount of fee covered by passive infrastructure providers to Telecommunications Operator in accordance with the cooperation that has been agreed on.
- (2) Passive infrastructure utilization tariff shall be determined by passive infrastructure providers with a reasonable and cost-based price.
- (3) The reasonable and cost-based price as referred to paragraph (2) shall include, but not limited to, consideration of investment costs, operational costs, and reasonable profits.

- (4) If needed by Telecommunications Operators utilizing passive infrastructure, the passive infrastructure providers shall provide calculation for passive infrastructure utilization that is reasonable and cost-based as referred to in paragraph (2).

Article 29

Passive infrastructure providers shall publish and provide information on the tariff of passive infrastructure utilization in a transparent and non-discriminatory manner.

Article 30

- (1) The reasonable and cost-based tariff of passive infrastructure utilization as referred to in Article 28 paragraph (2) shall be determined by considering:
- a. market condition;
 - b. national efficiency;
 - c. positive impacts for the economy; and
 - d. public interest.
- (2) The market condition as referred to in paragraph (1) letter a shall constitute a market review that includes, but not limited to, the said market products, substitutes of the said market products, market structure, analysis of supply and demand of passive infrastructure, and market concentration.
- (3) The national efficiency as referred to in paragraph (1) letter b shall include, but not limited to, utilization of and the need for passive infrastructure in the future.
- (4) The positive impacts for the economy as referred to in paragraph (1) letter c shall include, but not limited to, the benefit of the passive infrastructure sharing.
- (5) The public interest as referred to in paragraph (1) letter d shall include, but not limited to, sustainability of customer service and affordable tariff.
- (6) Consideration on the national efficiency, the positive impacts for the economy and public interest as referred to in paragraph (3), paragraph (4) and paragraph (5) shall be made after considering the market condition as referred to in paragraph (2).

Article 31

- (1) In the event that passive infrastructure utilization tariff is not in line with the provisions as referred to in Article 28 paragraph (2) and Article 30,

the Minister may determine the upper limit tariff of passive infrastructure utilization tariff.

- (2) Determination of upper limit tariff for passive infrastructure utilization by the Minister shall be preceded by the study on cost-based tariff as referred to in Article 28 paragraph (2) and Article 30, as well as the assessment of the impacts for the people.
- (3) In the event that the Minister determines the upper limit tariff of passive infrastructure utilization, passive infrastructure providers and Telecommunications Operators must fulfill the said upper limit tariff.

Article 32

The determined upper limit of passive infrastructure utilization shall be made based on the initiative of the Minister and/or by considering:

- a. report from Telecommunications Operators;
- b. report from passive infrastructure providers; and/or
- c. public complaints.

Part Three

Telecommunications Infrastructure Facilities

Article 33

- (1) In Telecommunications Operations, the Central Government and Regional Governments may play their roles and provide facilities to be shared by Telecommunications Operators at a reasonable cost in the forms of:
 - a. lands;
 - b. buildings; and/or
 - c. Telecommunications passive infrastructure.
- (2) Provision of the facilities as referred to in paragraph (1) may use:
 - a. State Budget;
 - b. regional budgets; and/or
 - c. other funding sources in accordance with the provisions of laws and regulations.
- (3) The Central Government and Regional Governments shall provide facilities and/or ease for Telecommunications Operators to build Telecommunications infrastructure in a transparent, accountable, and efficient manner in accordance with the provisions of laws and regulations.

- (4) The facilities and/or ease as referred to in paragraph (3) shall include, but not limited to:
- a. granting rights of way including, but not limited to, traversing roadsides, roads, toll roads, areas along railways, and/or special zones in accordance with the provisions of laws and regulations;
 - b. access to buildings and areas including, but not limited to, installations of Telecommunications access to buildings (high-rise buildings), airports, seaports, areas along railways, subways, business/office areas, residential areas, and other special zones in accordance with the provisions of laws and regulations;
 - c. levies and/or fees based on reasonable costs that ensures business certainty including, but not limited to, licensing fees and Telecommunications utilization lease fees and in accordance with the provisions of laws and regulations;
 - d. tariffs of lease and/or utilization of assets owned by the Central Government and Regional Governments including, but not limited to, tariff of land lease, building lease, and passive infrastructure lease at a reasonable price and in accordance with the provisions of laws and regulations; and/or
 - e. technical standardization and Telecommunications technology including, but not limited to, technical standardization for interoperability.
- (5) In providing facilities and/or ease as referred to in paragraph (4), Regional Governments and/or authorized institutions must coordinate with the Minister.

Part Four

Active Infrastructure Sharing

Article 34

Business Players who own active infrastructure in the fields of Telecommunications and/or broadcasting may open access to the utilization of the said infrastructure for Telecommunications Operators based on an agreement through cooperation between parties by considering a fair business competition in accordance with the provisions of laws and regulations.

Article 35

- (1) The cooperation on active infrastructure utilization as referred to in Article 34 shall be conducted by considering:

- a. service sustainability;
 - b. consumer protection;
 - c. quality of service;
 - d. tariff;
 - e. network resilience in an area; and
 - f. fair business competition in accordance with the provisions of laws and regulations.
- (2) The cooperation as referred to in Article 34 must be stated in a cooperation agreement that at least contains:
- a. inter-partner network design and planning, as well as its growth projection, operational coordination, and maintenance;
 - b. period of sustainable cooperation;
 - c. responsibility of each party/cooperation partner;
 - d. types of active infrastructure sharing and its terms and conditions; and
 - e. amendment to the cooperation in the event of future corporate action, including acquisition/merger/amalgamation of cooperation partners.
- (3) The cooperation agreement as referred to in paragraph (1) must be reported to the Minister in an operation report.
- (4) In the event of dispute among Telecommunications Network Operators who conducted the cooperation as referred to paragraph (1), the Minister may mediate based on the cooperation agreement as referred to in paragraph (1) and paragraph (2).
- (5) The Telecommunications Network Operators who conducted the cooperation as referred to in paragraph (1) shall have control over the utilization of active infrastructure that is subject to the cooperation in accordance with the scope of their Telecommunications Network Operations.
- (6) The cooperation as referred to in paragraph (1) shall not reduce the obligation of Telecommunications Network Operators in providing services in the existing service coverage.
- (7) In the event of violations of the provisions of laws and regulations in the cooperation as referred to in paragraph (1), the Minister shall issue a written reprimand at a maximum of 3 (three) times with a period of 7 (seven) working days for each reprimand.
- (8) In the event that the written reprimands as referred to in paragraph (7) fail to be responded to, the Minister may terminate the cooperation.

Article 36

In the event that the active infrastructure sharing as referred to in Article 34 and Article 35 requires cooperation on the use of radio frequency spectrum, in addition to considering the provisions on the cooperation on the active infrastructure sharing, the cooperation must be implemented in accordance with the provisions on radio frequency spectrum use cooperation in accordance with the provisions of laws and regulations.

CHAPTER VIII

LEASE AND/OR UTILIZATION OF TELECOMMUNICATIONS NETWORK

Part One

General Provisions

Article 37

- (1) Telecommunications Network Operators may lease their Telecommunications Network to other Telecommunications Operators and non-Telecommunications Operators.
- (2) The lease of Telecommunications Networks as referred to in paragraph (1) shall be held based on a fair, reasonable and non-discriminatory agreement.
- (3) In addition to the lease as referred to in paragraph (1), Telecommunications Networks may be utilized by Telecommunications Service Operators.
- (4) The utilization of Telecommunications Networks by Telecommunications Service Operators as referred to in paragraph (3) shall take the form of Telecommunications Network utilization for their own purposes.
- (5) The lease of Telecommunications Networks as referred to in paragraph (1) and/or the utilization of Telecommunications Networks as referred to in paragraph (3) shall take the form of Telecommunications Network capacity and/or other supporting system networks.

Article 38

- (1) The scope of Network Lease under this Ministerial Regulation shall comprise:
 - a. backbone network; and
 - b. backhaul network.
- (2) Provision of the Network Lease as referred to in paragraph (1) shall include, but not limited to:

- a. the number of fiber optic cables (core) with active Telecommunication devices;
 - b. the number of fiber optic cables (core) without active Telecommunication devices;
 - c. the number of transponders;
 - d. the number of wavelengths (λ); or
 - e. bandwidth capacity.
- (3) Network Lease services shall be provided by Telecommunications Network Operators.
- (4) In providing Network Lease services, Telecommunications Network Operators may provide a bundling service for Network Lease with other services including, but not limited to, the ISP, the NAP, access network services, and/or Telecommunications tower provision services.
- (5) In providing Network Lease service, Telecommunications Network Operators shall not only provide bundling services to Network Lease Subscribers.

Part Two

Network Lease Discrimination Prohibition

Article 39

- (1) Telecommunications Network Operators shall be prohibited from discriminating in providing Network Lease service.
- (2) The discrimination prohibition in providing services as referred to in paragraph (1) shall include, but not limited to:
 - a. Network Lease service tariff;
 - b. queue and procedures;
 - c. service provision period;
 - d. quality of Network Lease service; and
 - e. period of Network Lease service.

Part Three

Publication of Network Lease

Article 40

- (1) Telecommunications Network Operators must publish information on Network Lease offer in a correct, clear, straightforward and transparent manner that at least includes:

- a. types of Network Lease services;
 - b. amount of Network Lease tariff;
 - c. quality of service;
 - d. procedure for service provision;
 - e. service areas; and
 - f. contact details for information.
- (2) The publication as referred to in paragraph (1) shall be done through the official websites of Telecommunications Network Operators by considering the advertisement ethics in accordance with the provisions of laws and regulations.

Part Four
Report Submission

Article 41

- (1) Any Telecommunications Network Operators providing Network Lease service must submit a report to the Director General.
- (2) The report as referred to in paragraph (1) shall at least include:
 - a. network coverage and topology;
 - b. amount of Network Lease Tariff;
 - c. installed capacity and used capacity; and
 - d. data for Network Lease Tariff calculation.
- (3) The report as referred to in paragraph (1) shall be submitted annually not later than 30 April.
- (4) Format of the report as referred to in paragraph (3) as stated in Annex II shall constitute an integral part of this Ministerial Regulation.

Article 42

- (1) In protecting consumers, maintaining fair business competition, and ensuring the continuity of services to the public, the Director General shall oversee and control Network Lease service operations by Telecommunications Operators.
- (2) The oversight and control over the Network Lease service operations as referred to in paragraph (1) shall be based on, including, but not limited to:
 - a. reports and/or complaints from other Telecommunications Operators;
 - b. reports and/or complaints from Network Lease Subscribers;

- c. reports and/or complaints from the public; and/or
 - d. initiatives of the Director General based on results of evaluation on the report as referred to in Article 41.
- (3) The Director General shall evaluate the reports and/or complaints as referred to in paragraph (2) letter a, letter b, and letter c.
- (4) The procedures for reporting, oversight, and control as referred to in paragraph (1), paragraph (2), and paragraph (3) as stated in Anex II shall constitute an integral part of this Ministerial Regulation.

Part Five
Dispute Resolution

Article 43

In the provision of Network Lease services, Telecommunications Network Operators and/or Network Lease Subscribers may request Mediation through the Director General, including, but not limited to, in the event of failure to reach an agreement or a dispute.

Article 44

The submission of a request for Mediation as referred to in Article 43 shall refer to the procedure for resolution of Network Lease disputes as stated in Annex III which constitutes an integral part of this Ministerial Regulation.

CHAPTER IX
TELECOMMUNICATIONS NETWORK AND/OR SERVICE OPERATIONS
TARIFFS

Part One
General Provisions

Article 45

- (1) Telecommunications Operations tariffs shall consist of Telecommunications Network Operations tariff and Telecommunications Service Operations tariff.
- (2) The provision of Telecommunications Operations tariffs as referred to in paragraph (1) shall not include the Telecommunications Operation tariff for telecommunications universal service area using USO Contribution funds.

Article 46

Telecommunications Operation tariff composition shall comprise tariff type and structure.

Article 47

Tariff composition, tariff formula, and tariff payment scheme for Telecommunications Operation by Telecommunications Operators shall be carried out in an accountable manner.

Article 48

Telecommunications Operators shall not apply tariffs that disturb consumer protection, fair business competition, and/or continuity of public services.

Article 49

Amount of Telecommunications Network and/or Telecommunications Service Operations tariffs shall be determined by Telecommunications Network Operators and/or Telecommunications Service Operators based on a formula determined by the Minister.

Article 50

The Minister may determine the upper limit tariff and/or lower limit tariff for Telecommunications Operation by taking into account public interests and fair business competition.

Article 51

- (1) Determination of the upper limit tariff and/or lower limit tariff as referred to in Article 50 shall be preceded by evaluation by the Minister on, including, but not limited to, market review, cost assessment, community impact assessment, company financial performance, and Telecommunications service continuity.
- (2) The evaluation by the Minister as referred to in paragraph (1) shall be carried out based on:
 - a. reports from public;
 - b. reports from Telecommunications Operators; and/or
 - c. The Minister's initiatives.

Article 52

- (1) In the event that the Minister's evaluation as referred to in Article 51 identify tariff imposition that disturb the public interests and fair business competition, the Minister may determine the upper limit tariff and/or lower limit tariff.
- (2) Determination of the upper limit tariff and/or lower limit tariff as referred to in paragraph (1) shall be evaluated at least once in 3 (three) months or at any time if necessary.

Part Two

Telecommunications Network Operations Tariff

Article 53

Telecommunications Network Operations tariff types shall comprise:

- a. Network Lease tariff; and
- b. Interconnection Fee.

Article 54

The Telecommunications Network Operations tariff structure as referred to in Article 46 shall comprise:

- a. activation tariff; and/or
- b. usage tariff.

Article 55

- (1) The activation tariff as referred to in Article 54 letter a shall be the tariff charged to Network Lease Subscribers to provide access to and activate the Network Lease service connection, the amount of which is determined by Telecommunication Network Operators based on the current cost.
- (2) The usage tariff as referred to in Article 54 letter b shall be the tariff charged to the Network Lease Subscribers for the Network Lease service usage.

Part Three

Network Lease Tariff Formula

Article 56

- (1) Telecommunications Network Operators shall determine Network Lease usage tariff in accordance with the tariff structure as referred to in Article 54 based on the Network Lease tariff calculation formula.
- (2) The Network Lease usage tariff formula as referred to in paragraph (1) shall be:

Usage Tariff = basic cost of service provision + supporting cost of service provision activities + profit

- (3) Components of the basic cost of service provision as referred to in paragraph (2) shall be the cost calculated for the purpose of Network Lease service provision.
- (4) Components of the supporting cost of service provision activities as referred to in paragraph (2) shall be the costs in supporting the Network Lease service provision, including, but not limited to, sales and marketing costs.
- (5) Components of the profit as referred to in paragraph (2) shall be determined by Telecommunications Network Operators.
- (6) The procedure for Network Lease service usage tariff as stated in Annex IV shall constitute an integral part of this Ministerial Regulation.

Article 57

In protecting consumers, maintaining fair business competition, and ensuring the continuity of public services, the Director General shall oversee and control the determination of tariff by Telecommunications Network Operators.

Article 58

- (1) The oversight and control over the determination of the tariff as referred to in Article 57 shall be based on:
 - a. reports and/or complaints from other Operators;
 - b. reports and/or complaints from Network Lease Subscribers;
 - c. reports and/or complaints from the public; and/or
 - d. initiatives of the Director General based on results of evaluation on the report on the tariff determination.
- (2) The procedures for the oversight and control as referred to in paragraph (1) as stated in Annex II shall constitute an integral part of this Ministerial Regulation.

Telecommunications Service Operation Tariff

Article 59

Telecommunications Services Operation tariff types shall comprise:

- a. basic telephony service tariff;
- b. value-added telephony service tariff; and
- c. multimedia service tariff.

Article 60

- (1) The basic telephony service tariff as referred to in Article 59 letter a shall be the tariff for Basic Telephony Service Operation which comprise:
 - a. main features, namely telephony, facsimile, short message service (SMS), and/or multimedia messaging service (MMS); and
 - b. additional features, including, but not limited to, Rich Communication Services (RCS).
- (2) The telephony value-added service tariff as referred to in Article 59 letter b shall be the tariffs for the Telephony Value-Added Service Operation including, but not limited to, Call Center Services and premium call services.
- (3) The multimedia service tariff as referred to in Article 59 letter c shall be the tariffs for Multimedia Service Operation including, but not limited to, ISP and Network Access Point (NAP).
- (4) Access to Basic Telephony Services and ISP through a Cellular Mobile Network outside the subscribers' registered area of origin may be subject to Roaming Service tariffs.

Article 61

- (1) The basic telephony service tariff as referred to in Article 59 letter a shall comprise:
 - a. On-net tariff; and
 - b. Off-net tariff.
- (2) The On-net tariff as referred to in paragraph (1) letter a shall be the tariff charged to Subscribers for making On-Net Calls.
- (3) The Off-net tariff as referred to in paragraph (1) letter b shall be the tariff charged to Subscribers for making Off-Net Calls.

Article 62

- (1) The Roaming Service Tariff as referred to in Article 60 paragraph (4) shall comprise:

- a. national Roaming Service tariff; and
 - b. international Roaming Service tariff.
- (2) The Roaming Service Tariff as referred to in Article 60 paragraph (4) shall be the tariff charged by Telecommunications Service Operators to Subscribers for any successful use of Roaming Services.
- (3) The Roaming Service Tariff as referred to in paragraph (1) shall be determined by the Telecommunications Service Operators to the Subscribers for any Roaming Service use.
- (4) Roaming Service tariff as referred to in paragraph (1) may be imposed in combination with or split from Telecommunications Service use tariff.

Article 63

Telecommunications Service Operation tariff structure shall comprise:

- a. activation tariff;
- b. monthly subscription tariff; and
- c. use tariff.

Article 64

- (1) The activation tariff as referred to in Article 63 letter a shall be the tariff imposed only once to the a Subscriber to activate access to Telecommunications Services, including, but not limited to, equipment installation cost.
- (2) The activation tariff as referred to in paragraph (1) for basic telephony services and/or ISP provided through cellular mobile networks shall be the tariff for activating Starter Pack.
- (3) The activation tariff of basic telephony services and/or ISP provided through the mobile cellular network as referred to in paragraph (2) shall be included in the Starter Pack price.
- (4) The Starter Pack price as referred to in paragraph (3) shall comprise of the following components:
- a. Starter Pack production cost;
 - b. distribution cost;
 - c. registration fee;
 - d. Starter Pack activation tariff; and
 - e. tax.

Article 65

- (1) The monthly subscription tariff as referred to in Article 63 letter b shall be the tariff charged by Telecommunications Service Operators to

Subscribers for subscribing to the Telecommunications Service every month.

- (2) The monthly subscription tariff as referred to in paragraph (1) shall include, but not limited to:
- a. billing operation cost;
 - b. customer care operation cost;
 - c. collection cost ;and
 - d. costs of Subscriber access network up to Distribution Point (DP) for copper-based local fixed network.

Article 66

The use tariff as referred to in Article 63 letter c shall be the tariff charged by Telecommunications Service Operators to Subscribers for Telecommunications Service use.

Article 67

The use tariff calculation formula as referred to in Article 66 shall be per unit of each service, that is:

$\text{Use tariff} = \text{basic cost of service provision} + \text{supporting cost of provision activities} + \text{profit}$

Article 68

- (1) Component of the basic cost of service provision as referred to in Article 67 shall be the cost calculated for the purposes of Telecommunication Service provision.
- (2) Components of the supporting cost of service provision activities as referred to in Article 67 shall be the costs to support the Telecommunication Service provision, including, but not limited, to sales and marketing costs.
- (3) Component of the profit as referred to in Article 67 shall be determined by Telecommunications Operators.

Part Five

Calculation of Use Tariff

Article 69

The components of service provision basic cost as referred to in Article 68 paragraph (1) for basic telephony services channeled through cellular mobile networks, radio trunking terrestrial mobile networks, satellite mobile

networks, and circuit switched-based fixed networks shall be network element cost calculated by Telecommunications Service Operators.

Article 70

The components of service provision basic cost as referred to in Article 68 paragraph (1) for value-added telephony services shall be the cost of equipment provision and operation for telephony value added service operations calculated by Telecommunications Service Operators.

Article 71

The components of service provision basic cost as referred to in Article 68 paragraph (1) for multimedia service provision shall be the cost of network element provision for multimedia service operations calculated by Telecommunications Service Operators.

Article 72

- (1) The components of multimedia service provisions basic cost as referred to in Article 71, specifically the provision of ISP channeled through cellular mobile networks, satellite mobile networks, and/or circuit switched-based fixed networks, shall be the cost of equipment provision and operation for ISP operations.
- (2) The component of network element cost for ISP operations as referred to in paragraph (1) shall cover internet bandwidth leasing cost.

Article 73

Tariff calculation procedure for Telecommunications Service use which is stated in Annex V shall constitute an integral part of this Ministerial Regulation.

Part Six

Payment Scheme

Article 74

- (1) The payment scheme of Telecommunications Service tariff imposed to Subscribers shall comprise:
 - a. Postpaid System; and
 - b. Prepaid System.
- (2) Telecommunications Service Operators must inform Subscribers of the Prepaid System as referred to in paragraph (1) letter b in the event that

the Prepaid System Deposit has service time limit and terms and conditions determined by the Telecommunications Service Operators.

- (3) In the event that the Subscriber's Prepaid System card still contains remaining Prepaid Deposit and the Subscriber intends to deactivate the Prepaid System card, the Subscriber, within a certain period of time, shall reserve the right to transfer the remaining deposit to another Prepaid System number from the same Telecommunications Service Operators in accordance with the applicable terms and conditions in each Telecommunications Service Operator.

Part Seven

De-Averaging and Bundling

Article 75

- (1) Telecommunications Service Operators may conduct De-Averaging for use tariffs basic telephony services, value-added telephony services, and/or multimedia services as referred to in Article 59.
- (2) Tariff De-Averaging as referred to in paragraph (1) shall be based on:
- a. time band;
 - b. geographic location; and/or
 - c. product segmentation.
- (3) Use tariff De-Averaging as referred to in paragraph (2) shall only apply to the same services.

Article 76

- (1) Operators of cellular mobile networks, satellite mobile networks, and/or circuit switched-based fixed networks may provide Bundling and/or package tariff system for the Telecommunications Service Operation tariff as referred to in Article 59.
- (2) The Bundling and/or package tariff system as referred to in paragraph (1) shall be in the form of use tariff imposition by the Operators to Subscribers by combining several different types of service use tariff and/or 1 (one) service type in a specific volume and/or time into 1 (one) tariff type.

Article 77

- (1) Telecommunications Service Operators may provide Bundling of Telecommunications Services in Starter Pack.

- (2) The Bundling in Starter Pack as referred to in paragraph (1) shall comprise:
 - a. Starter Pack Bundling with one type of Telecommunications Service; and/or
 - b. Starter Pack Bundling with several types Telecommunications Services.
- (3) The tariff Bundling as referred to in paragraph (2) letter a shall consider the principle that the card price plus the services use tariff combined shall not be lower than the sum of the card production cost and the services use tariff combined.
- (4) The tariff Bundling as referred to in paragraph (2) letter b shall consider the principle that the card price plus the service Bundling tariff shall not be lower than the sum of the card production cost and the service Bundling tariff as referred to in Article 76.

Part Eight
Promotional Tariff

Article 78

- (1) Promotional tariff shall be a tariff determined by Telecommunications Service Operators for a time-limited promotion period.
- (2) Promotional tariff with amount lower than basic service cost shall apply within a time limit of less than 1 (one) year.
- (3) The promotional tariff shall be determined by the Telecommunications Service Operators with the obligation to guarantee quality of service.
- (4) The promotional tariff as referred to in paragraph (1) may be applied based on:
 - a. service area of each Telecommunications Service Operator;
 - b. time band;
 - c. service product type; and/or
 - d. Subscriber segmentation.
- (5) Tariff applied as other than promotional tariff shall be a regular tariff.

Part Nine
Tariff Announcement

Article 79

- (1) Telecommunications Service Operators must announce information on any tariff scheme to Subscribers in a correct, clear, straightforward, and transparent manner that at least includes:
 - a. Service Product type;
 - b. tariff amount;
 - c. service areas;
 - d. tariff imposition period; and
 - e. contact details for information.
- (2) The announcement as referred to in paragraph (1) shall be carried out by using print and/or electronic media by considering advertising ethics in accordance with the provisions of laws and regulations.

Article 80

Value-added telephony service operators for Call Center Services must notify the Call Center Service Subscribers on the information of Call Center Service tariff for the public.

Part Ten

Notification of ISP Use

Article 81

- (1) Telecommunications Service Operators that provide ISP with specific use limit must give free notifications to ISP Subscribers through short message service (SMS) or other media.
- (2) The notification as referred to in paragraph (1) shall comprise:
 - a. reminder of ISP use with regular tariff;
 - b. reminder of ISP use in the event that ISP almost reaches its determined use limits; and
 - c. reminder of ISP use in the event that the ISP use reaches its determined use limit.
- (3) The determined use limit as referred to in paragraph (2) shall be the use limit based on ISP selected by Subscribers.

Article 82

- (1) Telecommunications Service Operators that provide ISP must provide options for ISP Subscribers to continue or discontinue using the services after their utilization reaches the utilization limit.

- (2) The use limit as referred to in paragraph (1) shall comprise the period and/or volume of ISP chosen by the Subscriber.
- (3) In the event that the Subscriber opts for continuous service use, the obligation as referred to in paragraph (1) may not apply.

Part Eleven

Tariff Imposition for Telecommunications Service Operations

Article 83

- (1) In order to protect consumers, maintain fair business competition, and ensure public service continuity, the Director General shall oversee and control the amount of tariff imposed by Telecommunications Service Operators.
- (2) The oversight and control over the amount of tariff imposition as referred to in paragraph (1) shall be based on:
 - a. reports and/or complaints from other Telecommunications Service Operators;
 - b. reports and/or complaints from the public; and/or
 - c. the Director General's initiative based on evaluation result of the amount of tariff imposition reporting.
- (3) The procedure for implementing oversight and control over the Telecommunications Service amount of tariff imposition as referred to in paragraph (2) shall be stated in Annex VI which constitutes an integral part of this Ministerial Regulation.

Article 84

Reports and/or complaints from other Telecommunications Service Operators as referred to in Article 83 paragraph (2) letter a or reports and/or complaints from the public as referred to in Article 83 paragraph (2) letter b shall be evaluated by the Director General.

Article 85

- (1) Reporting on the amount of tariff imposition as referred to in Article 83 paragraph (2) letter c must be submitted by Telecommunications Service Operators to the Director General and it shall comprise:
 - a. Reporting on service provision basic costs and service provision supporting cost in Basic Telephony Service Operations and ISP multimedia services channeled through cellular mobile networks,

- satellite mobile networks, and/or circuit switched-based fixed networks;
- b. reporting on service provision basic costs and service provision supporting cost in Basic Telephony Service Operations through radio trunking terrestrial mobile networks, multimedia services and value-added telephony services;
 - c. quarterly reporting on Telecommunications Service Operations performance for oversight and control over the service tariff imposition; and
 - d. reporting on imposition of new tariff schemes, tariff changes or promotional tariffs.
- (2) The report as referred to in paragraph (1) letter a and letter b shall be submitted not later than every September 30 of the current year.
- (3) The report as referred to in paragraph (1) letter c shall be submitted not later than every 3 (three) months on May 31, August 31, and November 30 of the current year and March 31 of the following year.
- (4) The report as referred to in paragraph (1) letter d shall be submitted on the 15th day of every month.

Article 86

The procedure for reporting the amount of tariff imposition as referred to in Article 85 paragraph (1) shall be stated in Annex V which constitutes an integral part of this Ministerial Regulation.

CHAPTER X INTERCONNECTION

Part One General Provisions

Article 87

Provisions on Interconnection shall be regulated to:

- a. create a conducive and efficient business climate to maintain Telecommunications service continuity while taking into account the operation quality standards; and
- b. provide legal certainty for interconnecting Telecommunications Operators to prepare their strategies and infrastructure in the transition period as the initial measures in implementing internet protocol-based Interconnection.

Article 88

- (1) Interconnection shall be carried out by Telecommunications Network Operators that provide basic telephony services.
- (2) Telecommunications Network Operators that provide basic telephony services may carry out Interconnection using internet protocol-based technology.

Part Two

Telecommunications Network Operators Interconnection

Article 89

- (1) Interconnection shall be implemented in order to provide guarantee to Telecommunications Service Consumers from Telecommunications Network Operators to connect with Telecommunications Service Consumers from other Telecommunications Network Operators.
- (2) The Interconnection as referred to in paragraph (1) must be provided by the Telecommunications Network Operators as referred to in Article 88 paragraph (1) based on requests from other Telecommunications Network Operators in a transparent and non-discriminatory manner.
- (3) In the Interconnection implementation, Telecommunications Network Operators must provide services to each other in accordance with the service level agreement.
- (4) The telecommunications services as referred to in paragraph (1) shall be the basic telephony services.

Article 90

- (1) In the event that the Interconnection is channeled through networks owned by Telecommunications Network Operators with internet protocol-based technology as referred to in Article 88 paragraph (2), the implementation shall comply with the technical provisions stated in Annex VII which constitutes an integral part of this Ministerial Regulation.
- (2) The Interconnection as referred to in paragraph (1) shall be carried out in accordance with the Telecommunications Operators' agreement and preparedness.

Article 91

- (1) In providing the guarantee as referred to in Article 89 paragraph (1), Telecommunications Network Operators may provide Connection with the devices owned by Telecommunications Service Operators.
- (2) The Connection as referred to in paragraph (1) must be provided in a transparent and non-discriminatory manner.
- (3) The fees of the Connection as referred to paragraph (1) and paragraph (2) shall be determined based on an agreement.

Part Three

Interconnection Link

Article 92

- (1) In providing guarantee for the obligation to provide the Interconnection as referred to in Article 89 paragraph (1), Interconnection Link between the location of Access Seekers and the location of Access Providers shall be provided by Access Seekers and/or based on an agreement.
- (2) In the event that the Interconnection Link is provided by the Access Providers as referred to in Paragraph (1), it may be provided by building their own Interconnection Link or leasing it from other Telecommunication Network Operators, including from Access Providers.
- (3) Utilization of the Interconnection Link as referred to in paragraph (1) may be shared between Access Seekers and Access Providers.

Article 93

- (1) Addition of Interconnection Links shall be done in the event of:
 - a. utilization of capacity of Interconnection link as referred to in Article 92 already reaching a certain level agreed on by Telecommunications Network Operators that are interconnected; and/or
 - b. the Interconnection Traffic planning requirement.
- (2) The addition of Interconnection Link as referred to in paragraph (1) shall be the responsibility of Access Seekers and/or Access Providers based on the composition of each outgoing Interconnection Traffic or based on other aspects that have been agreed on.

Part Four

Interconnection Service

Article 94

Types of Interconnection services shall comprise:

- a. Origination;
- b. Transit; and
- c. Termination

Article 95

- (1) The Origination Service as referred to Article 94 letter a shall comprise:
 - a. Local Origination
 - b. Long-Distance Origination; and
 - c. International Origination
- (2) The Transit Service as referred to in Article 94 letter b shall comprise:
 - a. Local Transit;
 - b. Long-Distance Transit; and
 - c. International Transit that includes Transit from and to the International Gate Central.
- (3) The Termination Service as referred to in Article 94 letter c shall comprise:
 - a. Local Termination
 - b. Long-Distance Termination; and
 - c. International Termination

Article 96

- (1) The Origination Service as referred to in Article 95 paragraph (1) may be provided by the following Telecommunications Network Operators:
 - a. local fixed network operators;
 - b. cellular mobile network operators; or
 - c. satellite mobile network operators.
- (2) The Transit Service as referred to in Article 95 paragraph (2) may be provided by the following Telecommunications Network Operators:
 - a. local fixed network operators; or
 - b. long-distance direct link fixed network operators.
- (3) The Termination Service as referred to in Article 95 paragraph (3) may be provided by the following Telecommunications Network Operators:
 - a. local fixed network operators;
 - b. cellular mobile network operators; or
 - c. satellite mobile network operators.

Article 97

- (1) Telecommunications Network Operators that are interconnected may carry out Interconnection by means of:
 - a. direct interconnection; and/or
 - b. using Transit service through other Telecommunications Network Operators selected by Originating Operators.

- (2) The Transit Service through other Telecommunications Network Operators as referred to in paragraph (1) letter b shall be provided based on the least-cost-routing principle, which is the selection of routing with the lowest, effective, and/or efficient cost, while still maintaining quality of service.

Part Five
Dominant Position

Article 98

- (1) Director General shall determine Telecommunications Network Operator that provides interconnection services with a dominant position.
- (2) The Telecommunications Network Operator with a dominant position as referred to in paragraph (1) shall be Telecommunications Network Operator that own 50% (fifty percent) or more of the overall business revenue of all Telecommunications Network Operation in basic telephony services.
- (3) The determination of Telecommunications Network Operator with a dominant position as referred to in paragraph (1) may be conducted periodically.
- (4) In determining the Telecommunications Network Operator with a dominant position as referred to in paragraph (1), Director General shall evaluate reports of business revenue of Telecommunications Network Operator.
- (5) The business revenue reports as referred to in paragraph (1) must be submitted annually to Director General.

Article 99

In the event that there is no Telecommunications Network Operator who owns 50% (fifty percent) or more of the total business revenue of all Telecommunications Network Operators from basic telephony services, Director General shall determine Telecommunication Network Operator who

owns the biggest share of business revenue from the total business revenue of all Telecommunications Network Operation from basic telephony services as Telecommunication Network Operator who is treated as Telecommunication Network Operator with a dominant position.

Part Six

Reference Interconnection Offer

Article 100

- (1) In its RIO, any Telecommunication Network Operator must state any Interconnection service type provided as referred to in Article 94.
- (2) In addition to the service as referred to in paragraph (1), Telecommunications Network Operators may state additional services that may be accessed by Telecommunications Network Consumers in the RIO.
- (3) The RIO as referred to in paragraph (1) must include the call scenario, the location of Point of Interconnection, Interconnection Area of Charge, Numbering Block, and Interconnection Fee.

Article 101

The RIO shall be formulated in accordance with the guidelines of the RIO formulation as stated in Annex VIII, which constitutes an integral part of this Ministerial Regulation.

Article 102

- (1) Types of the Interconnection Fee as referred to in Article 53 letter b shall comprise:
 - a. Origination fee;
 - b. Transit fee; and
 - c. Termination fee.
- (2) The Origination Fee as referred to in paragraph (1) letter a shall comprise:
 - a. Local Origination fee;
 - b. Long-distance Origination fee; and
 - c. International Origination fee.
- (3) The Transit Fee as referred to in paragraph (1) letter b shall comprise:
 - a. Local Transit fee;
 - b. Long-distance Transit fee; and

- c. International Transit fee that includes Transit from or to international gate centrals.
- (4) The Termination Fee as referred to in paragraph (1) letter c shall comprise:
- a. Local Termination fee;
 - b. Long-Distance Termination fee; and
 - c. International Termination fee.

Article 103

- (1) The amount of the Interconnection Fee as referred to in Article 102 may be adjusted to economic values.
- (2) The economic values as referred to in paragraph (1) shall constitute the amount of Interconnection Fee adjusted to, including, but not limited to, the capacity of demands and the volume of traffic that are part of the commitment of Telecommunications Operators requesting Interconnection services.
- (3) The mechanism of the Interconnection Fee amount adjusted as referred to in paragraph (1) based on economic values must be stated in the RIO.

Article 104

The Interconnection Fee as referred to in Article 102 shall be charged by Terminating Operators to Originating Operators that are responsible for Interconnection Traffic.

Article 105

- (1) The Interconnection Fee as referred to Article 102 paragraph (1) shall be charged by Originating Operators to Terminating Operators in the event that the responsibility for Interconnection Traffic lies with the Terminating Operators.
- (2) The responsibility for the Interconnection Traffic as referred to in paragraph (1) shall include responsibility for:
 - a. quality of service;
 - b. process of retail tariff imposition and collection; and
 - c. account receivable of retail tariff that is not collected.
- (3) The responsibility as referred to in paragraph (2) letter b and letter c shall be undertaken by Originating Operators.

- (4) Originating Operators shall impose an additional fee for undertaking the responsibility as referred to in paragraph (3) stated in the Interconnection cooperation agreement.
- (5) The amount of additional fee for undertaking the responsibility as referred to in paragraph (4) shall be determined in a transparent and non-discriminatory manner.

Article 106

Terms and conditions of the imposition and collection of the Interconnection Fee must be stated in the RIO of Telecommunications Network Operators.

Article 107

Further provisions on the imposition dan collection of Interconnection Fee among Telecommunications Operators shall be carried out based on an agreement between Telecommunications Operators.

Article 108

- (1) Any Telecommunications Network Operator intending to modify the RIO must submit the proposal for the modification of the RIO to the Director General for evaluation.
- (2) The modification of the RIO shall be made in accordance with the Guideline for the Formulation of Reference Interconnection Offer as stated in Annex VIII, which constitutes an integral part of this Ministerial Regulation.
- (3) The proposal for the modification of the RIO from Telecommunications Network Operators that have been submitted to Director General will be given receipt of RIO modification proposal submission not later than 3 (three) working days since the receipt of the proposal.
- (4) In the event that the Director General fails to provide the receipt of RIO modification proposal submission within 3 (three) working days as referred to in paragraph (2), non-dominant Telecommunications Network Operators may implement the RIO.
- (5) The RIO modification proposal of Telecommunications Network Operator with a dominant position will be published by the Director General on the Ministry's official website and by the relevant Telecommunications Network Operators on their official websites not later than 3 (three) working days after the receipt of the RIO modification proposal submission for public response that will be used as one of the considerations of the evaluation of Director General.

- (6) The RIO modification proposal from Telecommunications Network Operators other than the Telecommunications Network Operators with a dominant position may be published and implemented upon the receipt of the RIO modification proposal submission from Director General as referred to in paragraph (2).
- (7) The RIO modification proposal from Telecommunications Network Operators that have 2 (two) or more different Telecommunications Network Operators Business Licensing, the formulation of the RIO modification proposal may be combined.

Article 109

Evaluation of the RIO owned by Telecommunications Network Operators with a dominant position shall be done with the following provisions:

- a. Director General shall evaluate the proposal for the changes of the RIO of Telecommunications Network Operator with a dominant position and will submit the evaluation result in 15 (fifteen) working days at the latest after Director General issues proof of the receipt of the submission of the RIO modification proposal;
- b. In the event that the evaluation result fails to be given by Director General in the period of 15 (fifteen) working days, the RIO modification proposal of the Telecommunications Network Operator with a dominant position is considered to be approved, the Telecommunications Network Operator with a dominant position may publish and implement the Modified RIO;
- c. In the event that the RIO modification proposal of the Telecommunications Network Operator with a dominant position is approved based on the decision of the evaluation result of the Director General, Telecommunications Network Operator with a dominant position may publish and implement the Modified RIO;
- d. in the event that the RIO modification proposal of the Telecommunications Network Operators with a dominant position is denied based on the decision of the evaluation result of the Director General, Telecommunications Network Operator with a dominant position must make adjustment to the RIO modification proposal based on the evaluation result of the Director General;
- e. the adjustment to the RIO modification proposal of of Telecommunications Network Operator with a dominant position as referred to in letter d shall be carried out by the Telecommunications

- Network Operator with a dominant position in 5 (five) working days after the decision of the evaluation result of the Director General is issued;
- f. the approval or the denial by the Director General for the adjustment of the RIO modification proposal shall be given in 5 (five) working days since the date of the receipt of the adjusted RIO modification proposal;
 - g. in the event that the adjustment to the RIO modification proposal of Telecommunications Network Operator with a dominant position as referred to in letter d is approved, the Telecommunications Network Operator in a dominant position may publish and implement the Modified RIO;
 - h. in the event that the adjustment to the RIO modification proposal of the Telecommunication Network Operator with a dominant position as referred to in letter d is denied and/or Telecommunications Network Operator with a dominant position fails to submit the adjusted RIO as referred to in letter d, the Director General shall stipulate the Modified RIO of the Telecommunications Network Operator with a dominant position in accordance with the evaluation result of the Director General; and
 - i. in the event that the Director General stipulates the Modified RIO of the Telecommunications Network Operator with a dominant position as referred to in letter f, Telecommunications Network Operator with a dominant position must publish and implement the Modified RIO.

Part Seven

Interconnection Requests and Responses

Article 110

- (1) Interconnection service requests shall be formulated by Access Seekers by referring to the Access Provider's RIO.
- (2) Access Seekers may request additional information in formulating Interconnection service requests to Access Providers relating to Access Provider's RIO, including, but not limited to, the available capacity.

Article 111

In submitting Interconnection service requests, Access Seekers are required to submit the following documents that at least comprise information on:

- a. the name of the operator and the name of the authorized director;
- b. Telecommunications Operation Business Licensing;

- c. the type of Interconnection service requested;
- d. explanation that the requested Interconnection service has not been provided by the Access Seekers;
- e. explanation on request for additional types and capacities of Interconnection services in the event that the requested Interconnection services constitute additional types and capacities of Interconnection services;
- f. geographic location and functional level of the required Point of Interconnection;
- g. allocation of Numbering Block in the Area of Charge;
- h. plan for the time frame needed to meet the conditions in the Telecommunication Network; and
- i. forecast on the need for Interconnection capacity.

Article 112

- (1) Access Providers shall evaluate the completeness of the requirements as referred to in Article 111 on the documents of Interconnection service requests that have been received.
- (2) In the event that evaluation result of the completeness of the requirements as referred to in paragraph (1) is approved, the Access Providers shall process the Interconnection service requests.
- (3) In the event that the evaluation result of the completeness of the requirements as referred in paragraph (1) is denied, the Access Providers shall reserve the right to refuse the service requests in writing explaining the reasons for the denial.
- (4) Access Seekers with denied status may resubmit the Interconnection service requests, which will be treated as new ones.

Article 113

- (1) In processing Interconnection service requests as referred to in Article 112 paragraph (2), Access Providers must use a queuing system in accordance with the approved evaluation results of the completeness of the requirements.
- (2) The queuing system as referred to in paragraph (1) shall be stated in the RIO of the Telecommunication Network Operators.

Article 114

- (1) Access Seekers' queue position of the Interconnection service requests must be informed by the Access Providers to the Access Seekers not later than 5 (five) Working Days from the date of receipt of the Interconnection service requests.
- (2) The queue position that has been informed to the Access Seekers may not be changed except with the approval of the Access Seekers.

Part Eight

Evaluation of Interconnection Service Request

Article 115

Access Providers shall evaluate Interconnection service requests submitted by Access Seekers in accordance with the provisions of the Access Provider's RIO and the provisions of this Ministerial Regulation.

Part Nine

Responses to Interconnection Requests

Article 116

- (1) Access Providers must respond to Interconnection service requests that have met the requirements.
- (2) The Access Providers are required to provide the response to the Interconnection services requests as referred to in paragraph (1) to the Access Seekers not later than 20 (twenty) Working Days from the date of receipt of the Interconnection service requests.
- (3) In the event that the Access Providers approve the Access Seekers' Interconnection service requests, the Access Providers shall provide a response that at least comprises:
 - a. the name and position of the authorized person of the Access Provider;
 - b. technical and operational conditions, which include, but not limited to:
 1. compliance of Access Seekers' network with Access Providers' technical requirements;
 2. various options relating to the requested Interconnection;

3. an indication of the period of time required to conduct Interconnection;
 4. a list of Interconnection services and the obligations of the interconnecting parties to place an order for a certain Interconnection capacity;
 5. diagrams which summarize the procedure for establishing Interconnection, including the time of each activity and a reference to a table containing a list of each activity;
 6. details of all available Points of Interconnection, including their total number, locations, capacities, and other specifications; and
 7. details of the entire Interconnection Areas of Charge, including their total number, geographic area coverage locations, allocations of Numbering Block in the Interconnection Areas of Charge, and other information.
- c. list and cost of Interconnection services and explanation for how to separate traffic for each Interconnection service at the Point of Interconnection;
 - d. direct costs that include the procurement cost of Interconnection Links, system changes in the Access Provider, and the use of supporting facilities and infrastructure; and
 - e. information on the implementation of administrative processes in the provision of Interconnection services.
- (4) In the event that the Access Providers do not approve the Access Seekers' Interconnection service requests in accordance with the evaluation result as referred to in Article 115, the Access Providers may deny the Interconnection service requests.

Article 117

- (1) Access Providers may deny Interconnection service requests submitted by Access Seekers as referred to in Article 116 paragraph (4), including, but not limited to, the following conditions:
 - a. the demand exceeds available Interconnection capacity; and/or
 - b. capacity demand is not realistic in accordance with historical data and projected data on future capacity requirements.
- (2) The denial as referred to in paragraph (1) shall not eliminate the obligation of the Access Providers to serve requests and provide Interconnection for Access Seekers.

Article 118

The Access Providers are required to inform the denial of Interconnection Service requests as referred to in Article 117 to the Access Seekers in writing, either in the form of physical documents or electronic documents, explaining the reasons for the denial.

Part Ten

Response to the Replies to the Requests for Interconnection Service

Article 119

- (1) Access Seekers must respond to the reply to the requests for Interconnection service informed by Access Providers as referred to in Article 116 paragraph (3) not later than 10 (ten) Working Days from the date of receipt of reply to the requests for Interconnection service.
- (2) The response as referred to in paragraph (1) shall contain the Access Seekers' approval for the reply to the requests for Interconnection service informed by the Access Providers.
- (3) In the event that the Access Seekers submit the response as referred to in paragraph (2), the negotiation of the provision of Interconnection services shall take place, the results of which will be stated in the Interconnection cooperation agreement.

Article 120

- (1) In the event that the Access Seekers do not respond to the reply to the request for Interconnection service within the time limit as referred to in Article 119 paragraph (1), the Interconnection service requests shall be null and void.
- (2) In the event that the requests have been categorized void, the Access Seekers may resubmit the Interconnection service requests, which will be treated as new ones.

Part Eleven

Negotiation and Agreement of
Interconnection Service Provision

Article 121

- (1) In accordance with the reply to the request for Interconnection service provided by the Access Providers as referred to in Article 116 paragraph (3), the Access Seekers may submit application for negotiation to the Access Providers on the request for Interconnection service and/or access to the FPI.
- (2) The application for negotiation as referred to in paragraph (1) must be followed up with negotiations between the Access Providers and Access Seekers.
- (3) Negotiations on request for Interconnection service and/or access to FPI as referred to in paragraph (1) must be completed not later than 20 (twenty) Working Days from the date of receipt of the application for negotiation by the Access Providers.
- (4) Negotiations on access to the FPI as referred to in paragraph (3) must be carried out in accordance with the basic rules for access to the FPI as stated in Appendix IX, which constitutes an integral part of this Ministerial Regulation.

Article 122

In accordance with the result of the negotiation as referred to in Article 121, the following provisions shall apply:

- a. the agreement between the Access Providers and Access Seekers to interconnect must be stated in an Interconnection cooperation agreement between the two parties; and
- b. the agreement on access to the FPI must be stated in a principal agreement on access to FPI in accordance with the provisions of laws and regulations.

Part Twelve

Numbering Block Transfer

Article 123

- (1) Telecommunication Network Operator may transfer Number Block allocation in an Interconnection Area of Charge under the following provisions:
 - a. The Numbering Block has no traffic yet; and/or
 - b. The Numbering Block has a maximum of 1% (one percent) active numbers from the Number Block with a prefix of more than 5 (five) digits.

- (2) The transfer of Numbering Block allocation shall be carried out through a mechanism of verification and notification to other Telecommunication Operators at least 180 (one hundred and eighty) Days prior to its implementation after receiving confirmation from the other Telecommunication Operators.

Part Thirteen
Traffic Channeling

Article 124

Interconnection Traffic Channeling is required to be in line with the Interconnection services as referred to in Article 94.

Article 125

- (1) Interconnected Telecommunications Operators shall be prohibited from making changes, additions, and/or reductions in the identification of traffic origins without rights and conformity to the law with the aim of gaining price margin.
- (2) Changes, additions, and/or reductions in the identification of traffic origins as referred to in paragraph (1) may be subject to sanctions in accordance with the provisions of laws and regulations

Part Fourteen
Report Submission

Article 126

- (1) Telecommunications Operators who have signed the Interconnection cooperation agreement and principal agreement access to FPI, including all amendment/addendum agreements, must submit a report to the Director General.
- (2) The report as referred to in paragraph (1) shall at least comprise:
 - a. a list of Interconnection services and the rights and obligations of the interconnecting parties;
 - b. the agreed amount of Interconnection Fee;
 - c. details of all available Points of Interconnection, including their total number, locations, capacities, and other specifications;
 - d. details of the entire Interconnection Areas of Charge, including their total number, locations, dimensions, allocations of User numbering and other specifications; and

- e. the validity period of the Interconnection cooperation agreement and the principal agreement on access to FPI.
- (3) The report as referred to in paragraph (1) shall be submitted to the Director General not later than 10 (ten) Working Days from the signing date of the agreement and/or should the need arises for evaluation by the Director General.

Article 127

The format of the report on the Interconnection cooperation agreement and the principal agreement on access to FPI as referred to in Article 126 paragraph (2) as stated in Annex II shall constitutes an integral part of this Ministerial Regulation.

Article 128

- (1) In the context of consumer protection, maintaining fair business competition, and ensuring the continuity of services to the public, the Director General shall oversee and control the Interconnection services provision by Telecommunication Operators.
- (2) The oversight and control over the of Interconnection services provision as referred to in paragraph (1) shall include, but not limited to:
- a. reports and/or complaints from other Telecommunication Operators;
 - b. reports and/or complaints from the public; and/or
 - c. the initiative of the Director General in accordance with the results of the evaluation of the reporting as referred to in Article 126.
- (3) The Director General shall evaluate reports and/or complaints as referred to in paragraph (2) letter a, letter b, and letter c.
- (4) The procedures for Interconnection services provision reporting, overseeing, and controlling as referred to in paragraph (1), paragraph (2), and paragraph (3) as stated in Annex II shall constitute an integral part of this Ministerial Regulation.

Part Fifteen

Dispute Resolution

Article 129

Access Providers and/or Access Seekers may request a Mediation, including, but not limited to, in the event of:

- a. the Access Seekers object to the denial of the request for Interconnection service;
- b. The Access Providers do not reply to the request for Interconnection service within a period of 20 (twenty) Working Days;
- c. negotiations on the replies to the request for Interconnection service and/or access to the FPI fail to be completed within 20 (twenty) Working Days from the date of receipt of the negotiation application by the Access Providers; or
- d. other disputes.

Article 130

The submission of a request for Mediation as referred to in Article 129 refers to the procedure for resolving Interconnection disputes through the Director General as stated in Annex III shall constitute an integral part of this Ministerial Regulation.

Chapter XI

FACILITATION OF RESALE OF TELECOMMUNICATIONS SERVICES TO IMPROVE ACCESIBILITY OF TELECOMMUNICATIONS SERVICES

Article 131

- (1) Facilitation of Resale of Telecommunication Services to improve Telecommunications service accesibility shall be implemented in the event of the absence of network infrastructure and/or Telecommunications Services in one service area; thereby, measures to provide and/or expand network infrastructure and/or Telecommunications Services that may reach people with no access yet to Telecommunications services are required.
- (2) The Facilitation of Resale of Telecommunications Services to improve Telecommunications service accessibility as referred to in paragraph (1) shall be provided to Telecommunications Network Operators and/or Telecommunications Service Operators to build and/or to provide Telecommunications Networks and/or Services in certain service areas with no Telecommunications Networks yet.
- (3) The facilitation as referred to in paragraph (2) may be in the forms of:
 - a. provision of funding to build and/or provide Telecommunications Network and/or Service infrastructure by using USO Contribution funds in accordance with the provisions of laws and regulations;

- b. granting of rights for Telecommunications Service Operators to build and/or to provide Telecommunications Networks that may only be used by the said Telecommunications Service Operators to operate Telecommunications Services; and/or
- c. other forms of facilitation determined by the Director General in accordance with the provisions of laws and regulations.

CHAPTER XII NUMBERING

Part One Numbering Management

Article 132

To support business activities in Telecommunications Operation, a numbering system shall be determined.

Article 133

- (1) The numbering system as referred to in Article 32 shall comprise:
 - a. Telecommunications Numbering; and
 - b. IP Number
- (2) The numbering system in the Telecommunications Operations as referred to in paragraph (1) shall be determined by the Minister.

Part Two Telecommunications Numbering

Article 134

- (1) The Telecommunications Numbering as referred to in Article 133 paragraph (1) letter a shall comprise:
 - a. number block;
 - b. National Destination Code (NDC);
 - c. Signaling Point Code (SPC);
 - d. International Signaling Point Code (ISPC);
 - e. Public Land Mobile Network Identity (PLMNID);
 - f. Intelligent Network (IN) access code;
 - g. International Dialing (SI) access code;

- h. Long-Distance Direct Dialing (SLJJ) access code;
- i. Internet Telephony for Public Purposes (ITKP) access code;
- j. call center access code;
- k. premium short message content (premium SMS) access code;
- l. calling card access code;
- m. community service center access code;
- n. community service SMS access code;
- o. emergency call access code;
- p. non-content service short message access code; and
- q. access code based on Unstructured Supplementary Service Data (USSD) and USSD Menu Browser (UMB).

Article 135

The access code as referred to in Article 134 letter a until letter l shall refer to the Ministerial Regulation regulating the National Telecommunications Fundamental Technical Plan.

Article 136

The community service center access code as referred in Article 134 letter m shall constitute the access code used to access community service center and/or Customer service center, with the following provisions:

- a. community service centers constitute information services from certain government institutions or state-owned enterprises accessed by the public;
- b. Customer service centers constitute information services of circuit-switched local fixed network operators, cellular mobile network operators, long-distance direct dialing operators, and/or international direct dialing operators accessed by Subscribers;
- c. community service center access code use numbering with the following formats:
 - 1. 1XY, wherein $X \neq 1$; $Y = 1-9$, for $X = 9$, $Y \neq 9$; and
 - 2. 199XY, wherein $X, Y = 0-9$;
- d. allocation of community service center access code is provided for one access code each;
- e. for numbers of Customer service center of cellular mobile network operators, in addition to using 1XY and 199XY formats, they may also use numbering with the following formats:
 - 1. 20X, wherein $X = 0-9$;

2. 30X, wherein X= 0 - 9;
 3. 333;
 4. 555;
 5. 777;
 6. 8XY, wherein X = 0-9, and Y = 0-9; and
 7. 999.
- f. Types of Customer services that may use numbering with the formats as referred to in letter e shall comprise:
1. complaints about service/network disturbance and service quality;
 2. information on service User status, tariff, billing, products; and/or
 3. activation/de-activation of operator's products or services.
- g. numbering with the format as referred to in letter e may only be connected in its own cellular operation network (on-net);
- h. numbering with the format as referred to in letter e may be used by all cellular mobile service operators without determination from the Minister;
- i. cellular mobile network operators using numbering with the format as referred to in letter e are obliged to report the use to the Minister and publicly announce it;
- j. management of community service center may be carried out through cooperation with other parties; and
- k. the other parties as referred to in letter j shall constitute Business Players who have obtained Business Licensing for Value-Added Telephony Service Operation for Call Center Service.

Article 137

Community service SMS access code as referred to in Article 134 letter n shall refer to the Ministerial Regulation regulating the National Telecommunications Fundamental Technical Plan.

Article 138

- (1) The emergency call access code as referred to in Article 134 letter o shall constitute the access code used by the public to convey or receive information related to emergency.
- (2) The emergency call access code shall comprise:
 - a. 110;
 - b. 112;
 - c. 113;
 - d. 115;

- e. 117; and
 - f. 119.
- (3) Management of emergency call may be implemented through cooperation with other parties.
- (4) The other parties as referred to in paragraph (3) shall constitute Business Players who have obtained Business Licensing for Value-Added Telephony Service Operation for Call Center Service.

Article 139

The non-content service short message access code as referred to in Article 134 letter p shall constitute the access code used by Subscribers or clients to access services provide by a Juristic Person with the following provisions:

- a. the non-content service short message access code shall be determined to a juristic person;
- b. the non-content service short message access code uses numbering with the 8ABCD format; and
- c. allocation of non-content service short message access code is given per one access code.

Article 140

The access code based on Unstructured Supplementary Service Data (USSD) and USSD Menu Browser (UMB) as referred to in Article 134 letter q shall be used with the following provisions:

- a. to be used to access Customer service in cellular mobile network operation;
- b. to be used to access content services in cellular mobile network operation;
- c. to be used to access public information services at ministries/institutions, state-owned enterprises, and other juristic persons;
- d. access code based on Unstructured Supplementary Service Data (USSD) and USSD Menu Browse (UMB) as referred to in letter a uses numbering with the *8XY# format;
- e. access code based on Unstructured Supplementary Service Data (USSD) and USSD Menu Browser (UMB) as referred to in letter b uses numbering with the following formats:
 - 1. *3XY#;
 - 2. *5XY#; and

3. *7XY#;
- f. access code based on Unstructured Supplementary Service Data (USSD) and USSD Menu Browser (UMB) as referred to in letter c uses numbering with the following formats:
 1. *1XY#; and
 2. *9XY#;
- g. use of access code based on Unstructured Supplementary Service Data (USSD) and USSD Menu Browser (UMB) to access customer services in cellular mobile network operations does not require determination but must be reported and publicly announced; and
- h. use of access code based on Unstructured Supplementary Service Data (USSD) and USSD Menu Browser (UMB) to access content services in the mobile cellular service operation and access public information services at ministries/agencies, state-owned enterprises, and other juristic persons must obtain a determination from the Minister.

Article 141

- (1) The Minister may determine:
 - a. changes in type, format, and/or designation of Telecommunications Numbering; and/or
 - b. other Telecommunications Numbering, which have not been regulated in this Ministerial Regulation by a Ministerial Decision.
- (2) The changes in type, format, and/or other designation of Telecommunications Numbering as referred to in paragraph (1) letter a shall be made by taking into account:
 - a. Telecommunications Operators' proposals;
 - b. not interfering with Telecommunications services;
 - c. optimizing the use of numbering;
 - d. industrial needs; and/or
 - e. community needs.
- (3) Assignment of other Telecommunications Numbering that has not been regulated in this Ministerial Regulation as referred to in paragraph (1) letter b shall be made by taking into account:
 - a. technological development;
 - b. practices applied in other countries;
 - c. recommendations of international standards institutions;
 - d. industrial needs; and/or
 - e. community needs.

Part Three
Internet Protocol Numbering

Article 142

- (1) The IP number as referred to in Article 133 paragraph (1) letter b shall comprise:
 - a. Internet Protocol Address;
 - b. Autonomous System Number; and
 - c. other IP numbers determined by the Minister.
- (2) Determination of IP Number may be given to:
 - a. government institutions; and
 - b. juristic persons.
- (3) Management of IP Numbers shall be carried out with the principles of non-discrimination, transparency, and accountability.
- (4) The management of IP Number as referred to in paragraph (3) may be carried out by:
 - a. government institutions; and/or
 - b. juristic persons.
- (5) Provisions on the juristic persons as referred to in paragraph (4) letter b shall refer to the Ministerial Regulation on the Management of IP Numbers.

Part Four
Telecommunications Numbering Assignment

Article 143

- (1) Application for Telecommunications Numbering determination shall comprise:
 - a. application for new Telecommunications Numbering assignment;
 - b. application for additional Telecommunications Numbering determination; and
 - c. application for changes to the Telecommunications Numbering determination.
- (2) Application for Telecommunications Numbering assignment as referred to in paragraph (1) may be submitted by:
 - a. Telecommunications Network Operators;
 - b. Telecommunications Service Operators;
 - c. government institutions;

- d. state-owned enterprises; or
 - e. juristic persons.
- (3) The assignment of Telecommunications Numbering as referred to in paragraph (1) shall be made by taking into account:
- a. availability of numbering allocation; and
 - b. a fast, transparent, fair, and non-discriminatory process.

Article 144

- (1) The application for new Telecommunications Numbering assignment as referred to in Article 143 paragraph (1) letter a shall be submitted in the event of:
- a. numbering requirement in obtaining new Business Licenses in the form of new Telecommunications Network Operations or new Telecommunications Service Operations;
 - b. obtaining new Business Licenses in the form of addition of new services previously non existent; and/or
 - c. numbering requirement for community services.
- (2) The application for new assignment as referred to in paragraph (1) letter a and letter b, shall be submitted by Telecommunications Network Operators or Telecommunications Service Operators by submitting a copy of Business License document for Telecommunications Network Operation or Telecommunications Service Operation.
- (3) The application as referred to in paragraph (1) letter c, shall be submitted by government institutions, state-owned enterprises, or juristic persons by submitting a copy of documents of legal establishment of government institutions, state-owned enterprises, or juristic persons.
- (4) The application as referred to in paragraph (1) letter b and letter c shall be submitted in accordance with the provisions of laws and regulations.
- (5) The numbering assignment based on the application as referred to in paragraph (1) letter a and letter b shall be carried out through an electronically integrated Business Licensing service system (Online Single Submission/OSS).
- (6) In the event that the required documents are in compliance and the requested numbering is available, the Telecommunications Numbering assignment shall be issued.
- (7) In the event that the numbering resource related to the type of Business Licensing service for Telecommunications Network Operation or Telecommunications Service Operation is not available, the application for Business Licensing shall be denied.

- (8) Notification of issuance or denial of the application for Telecommunications Numbering assignment shall be delivered once the Business Licensing requirement document is deemed complete by evaluation result.

Article 145

- (1) The application for additional Telecommunications Numbering assignment as referred to in Article 143 paragraph (1) letter b shall be filed by submitting the following required documents:
- a. a copy of Business Licenses for Telecommunications Network Operation or Telecommunications Service Operation or the documents of legal establishment of government institutions, juristic persons, and/or state-owned enterprises;
 - b. report on the use of the numbering that has been determined previously in accordance with the report format as stated in Annex X, which constitutes an integral part of this Ministerial Regulation;
 - c. application for additional determination for Call Center Service access code is complemented with an official letter of request for service and access code from the prospective User; and
 - d. application for additional assignment of access code for premium short message content (SMS Premium) is complemented with a product brief of the requested access code assignment.
- (2) Telecommunications Network Operators, government institutions and/or state-owned enterprises that have obtained the assignment of access code for public service center may not apply for additional assignment of public service center access code.
- (3) Application for additional Telecommunications Numbering assignment shall be denied in the event that:
- a. the requested numbering is not available;
 - b. numbering designated to the applicant within 6 (six) months prior to application submission has not been used/not been actively used;
 - c. occupancy of the use of Number Block is less than or equal to 33% (thirty three percent); or
 - d. occupancy of the use of National Destination Code (NDC) is less than or equal to 33% (thirty three percent).
- (4) Evaluation of the application for additional Telecommunication Numbering assignment shall be carried out in the following stages:
- a. verification of the availability of the requested numbering;

- b. examination of reports on the use of the previously designated Telecommunication Numbering; and
 - c. field inspection.
- (5) The evaluation stage as referred to in paragraph (4) letter a shall be carried out based on the availability of numbering allocation in the Directorate General's Telecommunication Numbering database.
- (6) The evaluation stage as referred to in paragraph (4) letter b shall be carried out as follows:
- a. examination of the use of the previously designated numbering;
 - b. calculation of the occupancy of the use of the previously designated number block in the event of an application for additional number block in one numbering area, using the following formula:
$$\text{Occupancy (\%)} = \frac{\text{Number of Active Customers}}{\text{Total of Numbering Block Capacity}} \times 100\%$$
 - c. calculation of occupancy of the use of the previously designated National Destination Code (NDC) in the event of an application for additional NDC, using the following formula:
$$\text{Occupancy (\%)} = \frac{\text{Number of Active Customers}}{\text{Total of NDC Capacity}} \times 100\%$$
- (7) The evaluation stage as referred to in paragraph (4) letter c shall be carried out in the event that the requested additional numbering is available and the report submitted shows that:
- a. the numbering designated within 6 (six) months prior to the submission of applications for additional numbering has been actively used;
 - b. occupancy of the use of Number Block is more than 33% (thirty three percent) for applications for additional number block; or
 - c. National Destination Code (NDC) occupancy is more than 33% (thirty three percent) for applications for additional National Destination Code (NDC).
- (8) The evaluation stage as referred to in paragraph (4) letter c shall be carried out to validate the report on the use of Telecommunication Numbering that is submitted by conducting the following examinations:
- a. call test for the use of number block, National Destination Code (NDC), Long Distance Direct Dialing (SLJJ) access codes, International Direct Dialing (SLI) access codes, Intelligent Network

- (IN) access codes, call center access codes, calling card access codes, and Internet Telephony for Public Purposes (ITKP) access codes;
 - b. service test for the use of premium short message content (Premium SMS) access codes and community service short message content access codes;
 - c. examination of call/service traffic monitoring applications; and
 - d. examination of network management applications for the use of Public Land Mobile Identity (PLMNID), International Signaling Point Code (ISPC), and Signaling Point Code (SPC).
- (9) Field inspection of the use of number block shall be carried out in the numbering area requested in the application for additional Telecommunication Numbering assignment.
- (10) Field inspection of the use of National Destination Code (NDC) shall be conducted by sampling at least 3 (three) numbering allocation areas.
- (11) Field inspection of call test for the use of call center access code may be carried out by sampling method if the number of access codes that have been designated is more than 25 (twenty five) access codes, with a number of sampling of at least 25 (twenty five) access codes.
- (12) Field inspection of call test for the use of premium short message content (Premium SMS) access codes may be carried out by sampling method if the number of access codes that have been designated is more than 5 (five) access codes, with a number of sampling of at least 5 (five) access codes.
- (13) Field inspection shall be carried out in accordance with the form for examining the use of Telecommunication Numbering as stated in Annex X which constitutes an integral part of this Ministerial Regulation.
- (14) The result of the field inspection of the use of numbering shall be stated in an official report according to the format as stated in Annex X which constitutes an integral part of this Ministerial Regulation, as the basis for evaluating the issuance or denial of applications for Telecommunication numbering assignment.
- (15) The approval for the result of the field inspection shall be determined based on:
- a. successful call test to Customers for the use of number blocks, National Destination Code (NDC), Long-Distance Direct Dialing (SLJJ) access codes, International Direct Dialing (SLI) access codes, Intelligent Network (IN) access codes, call center access codes,

- calling card access codes, and Internet Telephony for Public Purposes (ITKP) access codes;
 - b. proven usability to access certain services from service test for the use of premium short message content (Premium SMS) access codes and community service short message content access codes;
 - c. call/service traffic in the traffic/service monitoring system;
 - d. identified and actively used Public Land Mobile Network Identity (PLMNID), International Signaling Point Code (ISPC), and Signaling Point Code (SPC) on network management applications and/or devices;
 - e. connection between an operator's point code and other operators' in the use of the International Signaling Point Code (ISPC) and Signaling Point Code (SPC); and
 - f. identified use of Public Land Mobile Network Identity (PLMNID) on network devices and/or Subscribers identity modules.
- (16) Minutes of field inspection result may be used for a period of 6 (six) months after the minutes is signed.
- (17) In the event that the result of the field inspection of the use of Telecommunications Numbering is declared passed, an additional determination of Telecommunications Numbering shall be issued.
- (18) In the event that the results of the field inspection of the use of Telecommunications Numbering is declared failed, the application for determination of Telecommunications Numbering shall be denied.
- (19) In the event that the process for additional Telecommunications Numbering assignment is carried out through the electronically-integrated Business Licensing service system (Online Single Submission/OSS), notification of issuance or denial of application for additional assignment of call center access codes, calling card access codes, Internet Telephony for Public Purposes (ITKP) access codes, premium short message content (Premium SMS) access codes, and community service short message access code shall be submitted not later than 6 (six) Working Days after the application is submitted.
- (20) In the event that the process of additional Telecommunications Numbering assignment is carried out through the Electronically-Integrated Business Licensing service system (Online Single Submission/OSS), notification of issuance or denial of application for additional Number Block assignment, National Destination Code (NDC), International Signaling Point Code (ISPC)), Signaling Point Code (SPC), Public Land Mobile Network Identity (PLMNID), Long Distance Direct

Dialing (SLJJ) access codes, International Direct Dialing (SLI) access codes, and Intelligent Network (IN) access codes shall be submitted not later than 11 (eleven) Working Days after the application is submitted.

Article 146

- (1) The application for changes to the Telecommunication Numbering assignment as referred to in Article 143 paragraph (1) letter c shall be submitted in the event of:
 - a. any changes to name of juristic person;
 - b. any changes to address; and/or
 - c. any changes to the provisions of laws and regulations.
- (2) The application for changes to Telecommunications Numbering assignment in the event of changes to name of the juristic person and/or changes to the address as referred to in paragraph (1) letter a and letter b, shall be submitted by providing:
 - a. a copy of the numbering assignment; and
 - b. a copy of the Business Licensing for Telecommunications Network Operation or Telecommunications Services Operation before and after the changes to the name of a juristic person and/or the changes to the address for the Telecommunications Service Operator occur.
- (3) The application for changes to the Telecommunications Numbering assignment in the event of changes to the provisions of laws and regulations as referred to in paragraph (1) letter c shall be submitted by providing:
 - a. a copy of the Business Licensing for Telecommunications Network Operation or Telecommunications Services Operation;
 - b. a copy of the numbering assignment;
 - c. a reference to changes in provisions of laws and regulations; and
 - d. other documents required by the new provisions of laws and regulations.
- (4) Evaluation of the application for the changes to the Telecommunications Numbering assignment shall be carried out by examining the suitability of the submitted documents regarding the application for the changes to the Telecommunications Numbering assignment.
- (5) In the event that the submitted documents comply with the provisions, the Telecommunications Numbering assignment shall be issued.

- (6) In the event that the submitted documents do not comply with the provisions, the Telecommunications Numbering assignment shall be denied.
- (7) In the event that the process of changing the Telecommunications Numbering assignment is carried out through the Electronically-Integrated Business Licensing service system (Online Single Submission/OSS), notification of the issuance or denial of the application to change the Telecommunications Numbering assignment shall be submitted not later than 2 (two) Working Days.

Part Five

Telecommunications Numbering Use Monitoring

Article 147

- (1) Telecommunications Numbering monitoring shall comprise:
 - a. the compliance of the Telecommunications Numbering User with the Telecommunications Numbering use provisions; and
 - b. imposition of sanctions for violations of the Telecommunications Numbering use provisions.
- (2) The compliance monitoring as referred to in paragraph (1) letter a shall be carried out to ensure the compliance of Telecommunications Numbering users with the provisions of laws and regulations.
- (3) The monitoring of sanction imposition for violations of the Telecommunications Numbering use provisions as referred to in paragraph (1) letter b shall be carried out to ensure that Telecommunications Numbering users make the required adjustment in accordance with the provisions on Telecommunications Numbering use in the event that they are subject to administrative sanctions in the form of a written reprimand.
- (4) In addition to the Telecommunications Numbering monitoring as referred to in paragraph (1), the Telecommunications Numbering monitoring shall be carried out to ensure the Telecommunications Numbering use termination in the event that:
 - a. Telecommunications Numbering assignment is revoked; or
 - b. Telecommunications Operation Business Licensing and/or services using Telecommunications Numbering are revoked and/or declared invalid.
- (5) Telecommunications Numbering monitoring shall be carried out:

- a. at any time in order to carry out the Government's duties to foster Telecommunications Numbering Users and to maintain the compliance of Telecommunications Numbering Users with the provisions of laws and regulations; and/or
- b. as a follow-up to the public complaints regarding the possibility of violations against the provisions of Telecommunications Numbering use.

Article 148

- (1) The Telecommunications Numbering monitoring shall be carried out through the following stages:
 - a. collecting data and information in the forms of numbering assignment, administrative sanctions, letters, reports, minutes, and other data and information;
 - b. requesting for additional data and information from Telecommunications Numbering users by the Director General should the need arises;
 - c. analyzing compliance with and possibility of violations against the provisions of Telecommunications Numbering use in accordance with the provisions of laws and regulations;
 - d. seeking further clarification from relevant parties;
 - e. carrying out on the field factual verification should the need arises;
 - f. formulating minutes of monitoring; and
 - g. imposing administrative sanctions in the event of administrative violations.
- (2) Telecommunications Numbering monitoring conducted any time may be carried out through the field sampling.
- (3) The results of Telecommunications Numbering monitoring conducted any time may be reported in minutes of monitoring.
- (4) The minutes of monitoring shall at least comprise:
 - a. information on the time and place of monitoring implementation; and
 - b. information on compliance or non-compliance with the provision of Telecommunications Numbering use in Telecommunications Operations.

Part Six

Telecommunications Numbering Use Evaluation

Article 149

- (1) Telecommunications Numbering users shall submit the Telecommunications Numbering annual report through an electronic reporting system that has been determined by the Directorate General.
- (2) Telecommunications Numbering annual report shall be submitted for 1 (one) Fiscal Year.
- (3) The Telecommunications Numbering annual report shall be submitted not later than April 30 of the following year.
- (4) The Fiscal Year shall be as follows:
 - a. Fiscal Year period is from January 1 to December 31;
 - b. exempted from the provision as referred to in letter a, the first year period commences from:
 1. the effective date of Business Licensing until the end of the Fiscal Year for new Telecommunications Operators or from the numbering assignment until the end of the Fiscal Year for Telecommunications Operators obtaining numbering assignment after the Business Licensing effective date; and
 2. numbering assignment until the end of the Fiscal Year for Government agencies, state-owned enterprises, or other juristic persons.
- (5) The submitted Telecommunications Numbering annual report shall at least comprise:
 - a. numbering use data; and
 - b. numbering use supporting evidence.
- (6) The Director General may request additional data and information from Telecommunications Numbering users should the need arises.
- (7) The Director General shall evaluate the Telecommunications numbering annual report through:
 - a. verification and clarification of the Telecommunications Numbering annual report document;
 - b. field factual verification should the need arises; and
 - c. analysis of compliance with the provisions of Telecommunications Numbering use in Telecommunications Operations.
- (8) Telecommunications Numbering annual evaluation results shall be stated in annual evaluation minutes.
- (9) The annual evaluation minutes as referred to in paragraph (8) shall at least comprise:
 - a. information on the time and place of the annual evaluation; and

- b. information on compliance or non-compliance with the provisions of Telecommunications Numbering in Telecommunications Operations.
- (10) Telecommunications Numbering users shall be subject to administrative sanctions in accordance with the provisions of laws and regulations in the event that the non-compliance is found in the form of administrative violations during the annual evaluation.

Article 150

- (1) Telecommunications numbering users not complying with the provisions of Telecommunications Numbering use shall be subject to sanctions of Telecommunications Numbering assignment revocation.
- (2) The revocation of the services and/or Telecommunications Operation Business Licensing will result in the revocation of the Telecommunications Numbering assignment related to the said service and/or Business Licensing.

Part Seven

Internet Protocol Number Management Oversight and Evaluation

Article 151

- (1) The IP Number Management oversight and evaluation shall be carried out by the Director General.
- (2) The procedures for reporting, overseeing, and evaluating the IP number management as stated in Annex XI shall constitute an integral part of this Ministerial Regulation.

Part Eight

Telecommunications Numbering Reassignment

Article 152

- (1) In the event that there are differences in data on numbering use between:
 - a. the Directorate General's numbering database;
 - b. numbering assignment document obtained by numbering users; and/or
 - c. numbering use,

Telecommunications Network Operators, Telecommunications Service Operators, government institutions, and state-owned enterprises using Telecommunications Numbering must undergo Telecommunications Numbering reassignment.

- (2) The Telecommunications Numbering reassignment as referred to in paragraph (1) shall be carried out with the following provisions:
- a. application for reassignment of Telecommunications Numbering is filed by submitting:
 1. a copy of Business Licensing for Telecommunications Network Operation or Telecommunications Service Operation;
 2. a copy of documents of legal establishment of government institutions, legal entities, and/or state-owned enterprises;
 3. a copy of Telecommunications Numbering assignment owned, if any;
 4. report on the use of the relevant Telecommunications Numbering using the format stated in Annex X, which constitutes as an integral part of this Ministerial Regulation; and
 5. other documents supporting the use of numbering;
 - b. The Directorate General shall evaluate the required documents submitted by Telecommunications Network Operators, Telecommunications Service Operators, government institutions, and state-owned enterprises as the ground for issuing reassignment document.

CHAPTER XIII

TELECOMMUNICATIONS SERVICE SUBSCRIBER REGISTRATION

Part One

General

Article 153

- (1) The scope of the provision for Telecommunications Service Subscriber Registration as regulated in this Ministerial Regulation shall be the Telecommunications Service Subscriber Registration made through:
- a. mobile cellular network; and
 - b. local fixed network.

- (2) Telecommunications Service Operators must apply Know Your Customer (KYC) Principles.
- (3) In applying the Know Your Customer (KYC) Principles as referred to in paragraph (1), Telecommunications Service operators must:
 - a. establish a Telecommunications Service Subscriber Registration policy by referring to the provisions in this Ministerial Regulation;
 - b. establish policies and procedures in identifying valid and entitled Telecommunications Service Subscribers; and
 - c. establish risk management policies and procedures related to the application of Know Your Customer (KYC) Principles.
- (4) Telecommunications Service Operators shall be responsible for the Validity of Telecommunications Service Subscribers in the event that biometric technology can be used for the Registration process.
- (5) Telecommunications Service Operators must distribute Starter Packs in an inactive state for all Telecommunications Services, except for access services to Telecommunications Service Operators for Registration purposes.
- (6) The provisions for Starter Packs distribution in an inactive state as referred to in paragraph (4) must also be adhered to by every person who sells the Starter Pack, namely distributors, agents, outlets, retailers, and/or natural persons.
- (7) Subscribers of Prepaid Telecommunications Services shall reserve the right to use Telecommunications Services after registering their own validated identity.

Part Two

Prepaid Telecommunications Service Subscriber Identity

Article 154

Telecommunications Service Operators must use the identity of Prepaid Telecommunications Service Subscribers for registration in the forms of:

- a. for Indonesian Citizens:
 1. MSISDN number or Telecommunications Service Subscriber number used; and
 2. Population Data in the forms of:
 - a) NIK and Family Card Number; or

- b) NIK and biometric Population Data, including, but not limited to, face recognition technology, fingerprint recognition technology, and iris recognition technology.
- b. for Foreign Citizens:
 - 1. MSISDN number or Telecommunications Service Subscriber number used; and
 - 2. Passport, Permanent Stay Permit Card (KITAP), or Limited Stay Permit Card (KITAS).

Part Three

Prepaid Telecommunication Service Subscriber Registration Procedure

Article 155

- (1) Registration of Prepaid Telecommunications Service Subscribers must be carried out:
 - a. at a Telecommunications Service Operator's outlet; and/or
 - b. through self-registration using Telecommunications and/or information technology equipment.
- (2) The self-registration as referred to in paragraph (1) letter b shall be carried out through:
 - a. short message service or Telecommunications Service Operators' contact center accessed through the MSISDN number that will be registered; or
 - b. a Telecommunications Service Operator's website by applying the verification method for the validity of MSISDN Number being registered.

Article 156

The registration at the outlet as referred to in Article 155 paragraph (1) letter a shall be made in the following stages:

- a. Registration is made by outlet representatives appointed by Telecommunications Service Operators;
- b. outlet representatives perform Validation and/or Verification of the identity of the prospective Prepaid Telecommunication Service Subscribers as referred to in Article 154;
- c. in Registration process for Indonesian Citizens:
 - 1. after receiving data from prospective Prepaid Telecommunications Service Subscriber as referred to in Article 154 letter a, Telecommunications Service Operators perform Validation;

2. in the event that the data entered by the prospective Prepaid Telecommunications Service Subscriber is validated, the Registration process is declared successful; and
 3. in the event that the data entered is not validated, the prospective Prepaid Telecommunications Service Subscriber is requested to perform data matching to the government institution overseeing government affairs in the field of population;
- d. in Registration process for Foreign Citizens, after receiving data from the prospective Prepaid Telecommunications Service Subscriber as referred to in Article 154 letter b, the Telecommunications Service Operators record the prospective Prepaid Telecommunications Service Subscriber data consisting of at least:
1. name;
 2. number of Passport, Permanent Stay Permit Card (KITAP), or Limited Stay Permit Card (KITAS);
 3. citizenship; and
 4. place and date of birth;
- e. Registration for Foreign Citizens with refugee status is carried out using the identity of the United Nations High Commissioner for Refugees (UNHCR) officials according to the mechanism as referred to in letter d.

Article 157

- (1) The Self-registration as referred to in Article 155 paragraph (2) letter a shall be made by the prospective Prepaid Telecommunications Service Subscribers with the following stages:
- a. the prospective Prepaid Telecommunications Service Subscriber sends data of the MSISDN Number and Population Data as referred to in Article 154 letter a number 2, which will be registered;
 - b. after receiving data from the prospective Prepaid Telecommunications Service Subscriber, the Telecommunications Service Operator performs Validation;
 - c. in the event that the data entered by the prospective Prepaid Telecommunication Service Subscriber is validated, the Registration process is declared successful; and
 - d. in the event that the data entered is not validated, the prospective Prepaid Telecommunications Service Subscriber is requested to perform data matching to the government agency overseeing government affairs in the population sector.

- (2) The Self-registration as referred to in Article 155 paragraph (2) letter b shall be made by prospective Prepaid Telecommunication Service Subscribers with the following stages:
- a. the prospective Prepaid Telecommunication Service Subscriber sends data of the MSISDN Number, which will be registered on the website of the Telecommunications Service Operator;
 - b. after the successful delivery of the MSISDN Number, the Telecommunications Service Operator sends an authorization code, which may be in the form of a One-Time Password to the MSISDN Number of the prospective Prepaid Telecommunications Service Subscriber to be registered;
 - c. after receiving the authorization code as referred to in letter b, the prospective Prepaid Telecommunications Service Subscriber sends back:
 1. authorization code; and
 2. Population Data as referred to in Article 154 letter a number 2;
 - d. after receiving data from the prospective Prepaid Telecommunication Service Subscriber, the Telecommunication Service Operator performs validation;
 - e. in the event that the data entered by the prospective Prepaid Telecommunication Service Subscriber is validated, the Registration process is declared successful; and
 - f. in the event that the data entered is not validated, the prospective Prepaid Telecommunication Service Subscriber is requested to perform data matching to the government agency overseeing government affairs in the population sector.

Article 158

In the event that Validation cannot be performed as a result of a disturbance on the Telecommunication Service Operator and/or on the government agency overseeing government affairs in the population sector, the Validation process is required to be carried out immediately after the disturbance is resolved.

Part Four Activation

Article 159

- (1) The Telecommunications Service Operators shall activate the MSISDN Number or the Telecommunication Service Subscriber number after the

identity of the prospective Telecommunications Service Subscriber is verified and/or validated.

- (2) Activation of the MSISDN Number or Prepaid Telecommunications Service Subscriber number must be carried out not later than 24 hours after the identity of the prospective Prepaid Telecommunications Service Subscriber is verified and/or validated.

Part Five

Prevention Efforts on the Misuse of Prepaid Telecommunications Service Subscriber Number

Article 160

- (1) Telecommunications Service Operators must not register Telecommunications Service Subscriber for more than 3 (three) MSISDN Numbers or Telecommunication Service Subscriber Numbers for each Telecommunication Service Subscriber identity at each Telecommunication Service Operator.
- (2) Exempted from the provisions in paragraph (1), the MSISDN Number used for the purposes of:
 - a. M2M communication;
 - b. examination, test and/or detection of violations by Telecommunications Service Operators; or
 - c. certain need of juristic persons, non-juristic person business enterprises and or other organizations, including, but not limited to, the needs of Telecommunications Service Subscribers,more than 3 (three) MSISDN numbers or Telecommunications Service Subscriber numbers may be registered for any identity and may only be registered through Telecommunications Service Operator outlets.

Article 161

- (1) Telecommunications Service Operators must deactivate (burn) the MSISDN Number or Prepaid Telecommunication Service Subscriber number, which is known or indicated to use the identity that is:
 - a. false;
 - b. invalid; or
 - c. owned by another person without rights or against the law.

- (2) Before deactivating (burning) the MSISDN Number or Prepaid Telecommunication Service Subscriber Number as referred to in paragraph (1), the Telecommunications Service Operators must send a notification to the MSISDN Number user to re-register not later than 24 hours after the notification is sent.
- (3) Telecommunications Service Operators must submit data on the MSISDN Number, which has been deactivated (burned) and re-registered, as stated in the Statement Letter and submitted to the Director General with a copy to the Director every 3 (three) months.

Article 162

- (1) Telecommunications Service Operators must deactivate (burn) the MSISDN Number or Telecommunication Service Subscriber Number indicated or known to be misused for criminal acts or unlawful acts.
- (2) Telecommunications Service Subscribers through mobile cellular networks may report the MSISDN Number used to make voice calls and/or send short messages (Short Message Service/SMS), which is indicated or known to be misused for criminal acts or unlawful acts by referring to the reporting procedures as stated in Annex XII, which constitutes an integral part of this Ministerial Regulation.

Article 163

In the event that the number of the Prepaid Telecommunications Service Subscribers as referred to in Article 161 and Article 162 is deactivated (burned), the Telecommunications Service Operators shall have no obligation to compensate the Prepaid Telecommunications Service Subscribers for the losses.

Article 164

- (1) The MSISDN numbers for the purposes of juristic persons, non-juristic person business enterprises and/or other organizations must be registered using the identity of each User.
- (2) Exempted from the provisions as referred to in paragraph (1), the MSISDN Number used for the purposes of:
 - a. M2M;
 - b. examination, test and/or detection of violations by Telecommunications Service Operators; or

- c. certain need of juristic persons, non-juristic person business enterprises and or other organizations, including, but not limited to, the needs of Telecommunication Service Subscribers, shall be registered using the names of the persons in charge of the juristic persons, non-juristic person business enterprises and or organizations, or the name of a natural persons and shall be carried out only at the outlet of the Telecommunications Service Operators.
- (3) Exempted from the provisions as referred to in paragraph (1), the MSISDN number used for the purpose of providing emergency call single number service of 112 shall be registered using the provisions as stated in Annex XIII, which constitutes an integral part of this Ministerial Regulation.

Article 165

- (1) Telecommunications Service Subscriber who has made Prepaid Subscriber Registration and intends to transfer their rights to the use of Telecommunications Services must make Deregistration.
- (2) Telecommunications Service Subscriber who obtains the rights to use Telecommunications Services from the person who has made Deregistration must register using the Registration mechanism as referred to in Article 155, Article 156, and Article 157.

Part Six

Postpaid Subscriber Registration

Article 166

Postpaid Telecommunications Service Subscriber Registration shall be made in accordance with the contract between Telecommunications Service Operator and the Postpaid Telecommunications Service Subscriber, in which the procedure shall be determined by the Telecommunications Service Operator and must comply with the provisions as referred to in Article 154, Article 155, Article 156, and Article 157.

Article 167

Postpaid Telecommunications Service Subscriber as referred to in Article 166 shall be an individual Telecommunications Service Subscriber or

Telecommunications Service Subscribers of juristic persons, non-juristic person business enterprises, and/or other organizations.

Part Seven

Telecommunication Service Subscriber Data Storing

Article 168

- (1) Telecommunications Service Operator must store Telecommunications Service Subscriber data insofar as the Telecommunications Service Subscriber is still actively subscribing to the Telecommunications Services.
- (2) In the event that a Telecommunications Service Subscriber no longer actively subscribes to the Telecommunications Services, the Telecommunications Service Operator must store the data of the Telecommunications Service Subscriber which has been inactive for at least 3 (three) months from the date of inactivity of the said Telecommunications Service Subscriber.
- (3) Telecommunications Service Operators must keep the data and/or identity of Telecommunications Service Subscribers confidential unless otherwise stipulated by law.
- (4) If necessary, the Telecommunications Service Operators must submit the identity of the Telecommunication Service Subscribers as referred to in Article 154 at the request of:
 - a. the Attorney General and/or the Chief of the Indonesian National Police for the judicial process of certain criminal acts;
 - b. Investigators for the judicial process of certain other criminal acts in accordance with the provisions of laws and regulations;
 - c. the Minister for policy purposes in the field of Telecommunications;
 - d. government institution that oversees population affairs; and/or
 - e. other government institutions in accordance with the provisions of laws and regulations.
- (5) Telecommunications Service Operator must hold at a minimum of ISO 27001 certification for information security in the management of Telecommunications Service Subscribers' data.
- (6) Audit of the compliance with ISO 27001 as referred to in paragraph (5) must be reported to the Director General periodically.

Part Eight
Reporting

Article 169

- (1) Telecommunications Service Operators must submit report every 3 (three) months to the Director General, with a carbon copy to the Director, on the following information:
 - a. data of active Prepaid Telecommunications Service Subscribers of:
 1. individual; and
 2. juristic person, non-juristic person business enterprises and/or other organizations using the MSISDN Number for the purposes as referred to in Article 164 paragraph (2).
 - b. data of active Postpaid Telecommunications Service Subscribers of:
 1. individual; and
 2. juristic person, non-juristic person business enterprises and/or other organizations using the MSISDN Number for the purposes as referred to in Article 164 paragraph (2).
- (2) The report on individual Telecommunications Service Subscribers data as referred to in paragraph (1) letter a number 1 and letter b number 1 shall at least comprise:
 - a. the identity of the Telecommunications Service Subscribers making the Registration; and
 - b. the MSISDN number used.
- (3) The report on corporate Telecommunications Service Subscribers' data as referred to in paragraph (1) letter a number 2 and letter b number 2 shall at least comprise:
 - a. identity of the person in charge of the individual, juristic person, business enterprises and/or other organizations making the Registration;
 - b. the MSISDN number used; and
 - c. the use allocation as referred to in Article 164 paragraph (2).

Article 170

To support validity of the active Telecommunications Service Subscribers data report as referred to in Article 169 paragraph (1), the Telecommunications Service Operators must provide an active Telecommunications Service

Subscribers data center that is connected real time to the Ministry's registration monitoring system.

Part Nine
Starter Pack Replacement

Article 171

- (1) Starter Pack may only be replaced based on mechanism and standard operational procedure (SOP) implemented by the Telecommunications Service Operators based on Know Your Customer (KYC) Principles.
- (2) Cellular mobile networks Telecommunications Service Operators must ensure that the mechanism and standard operational procedures (SOP) for replacement of the Starter Pack (subscriber identity module/SIM card) are implemented properly and correctly.

Part Ten
Miscellaneous Provisions

Article 172

Telecommunications Service Operators must provide written information that reads "FOR YOUR CONVENIENCE AND SECURITY, REGISTER YOUR PREPAID CARD USING THE VALID AND RIGHTFUL IDENTITY" with uppercase font sized at least 10 points on the packaging of the produced Prepaid Starter Pack.

Article 173

Technical provisions for the registration using biometric population data shall be further determined by the Director General.

Article 174

Telecommunications Service Operators must disseminate the registration procedures to prospective Telecommunications Service Subscribers and/or Telecommunications Service Subscribers.

Article 175

Telecommunications Service Operators must disseminate, through various media and Telecommunications channels, regulations and sanctions that may be imposed on Telecommunications Service Subscribers and any person selling Prepaid Starter Packs, including, but not limited to, distributors, agents, outlets, stalls, and/or individuals, with the identity of other people without rights or against the law for the purposes of Registration.

CHAPTER XIV

DELIVERY OF PROMOTIONAL/MARKETING SHORT MESSAGE SERVICE (SMS) BY CELLULAR MOBILE NETWORKS OPERATORS AND/OR CONTENT PROVIDER THROUGH CELLULAR MOBILE NETWORKS

Article 176

The scope of this regulation shall comprise promotional/marketing short message service (SMS) sent by:

- a. cellular mobile networks operators, including business enterprises that cooperate with cellular mobile networks operators; and/or
- b. content providers.

Article 177

Cellular mobile network operators and/or content providers must provide an option for Telecommunications Service Subscribers to reject promotional/marketing short message service (SMS) delivery.

Article 178

Information on the option to reject promotional/marketing short message service (SMS) delivery as referred to in Article 177 must be sent by cellular mobile network operators and/or content providers.

Article 179

In the event that the cellular mobile network Telecommunications Service Subscribers opt to reject promotional/marketing short message service (SMS) delivery, the cellular mobile network operators and/or content providers are prohibited from sending promotional/marketing short message service (SMS).

Article 180

In the event that the cellular mobile network Telecommunications Service Subscribers do not opt to reject promotional/marketing short message service (SMS) delivery, cellular mobile network operators and/or content providers are prohibited from sending promotional/marketing short message service (SMS).

Article 181

- (1) Cellular mobile network operators and/or content providers which violate the provisions as referred to in Article 177 and Article 178 and fail to comply with the provisions as referred to in Article 179 and Article 180 shall be subject to sanctions in accordance with the provisions of laws and regulations.
- (2) In addition to the sanctions as referred to in paragraph (1), the violation and non-compliance committed by cellular mobile network operators and/or content providers shall be announced at the Ministry's website.

Article 182

- (1) Exempted from obligation to provide an option for Telecommunications Service Subscribers to reject promotional/marketing short message service (SMS) delivery as referred to in Article 177, the cellular mobile network operators must send short message service (SMS) informing cellular mobile network Telecommunications Service Subscribers on the services useable by the Subscribers, including, but not limited to, information on the subscriber's number/MSISDN validity period expiration and the data package validity period expiration.
- (2) The delivery of important information for cellular mobile network Telecommunications Service Subscribers related to the services useable by the Subscribers as referred to in paragraph (1) shall not include promotional/marketing information.

Article 183

- (1) Cellular mobile networks operators and/or content providers must provide a customer complaint service center to accommodate and follow up on customer complaints related to promotional/marketing short message service (SMS) delivery.
- (2) The complaint service center as referred to in paragraph (1) shall comprise, but not limited to, in person complaint facilities, telephone

calls, e-mail and/or other means, which at least can be accessed every Working Day.

Article 184

Cellular mobile network operators must disseminate the terms and conditions on promotional/marketing short message service (SMS) delivery to business enterprises that cooperate with cellular mobile network operators.

Article 185

The Director General shall oversee and control the promotional/marketing short message service (SMS) delivery by cellular mobile network operators and/or content provider through cellular mobile networks.

Article 186

The use of identity masking for promotional/marketing short message service (SMS) delivery must be reported periodically every 3 (three) months to the Director General by cellular mobile network operators and/or content provider.

CHAPTER XV

GUIDELINE FOR TARIFF IMPOSITION OF NON-TAX STATE REVENUE
FROM CONTRIBUTION OF TELECOMMUNICATIONS OPERATIONS RIGHTS
FEE AND UNIVERSAL SERVICE OBLIGATION (USO) CONTRIBUTION

Part One

Telecommunications BHP and USO Contribution

Article 187

- (1) Any Telecommunications Network Operators and/or Telecommunications Service Operators must pay Telecommunications BHP.

- (2) Any Telecommunications Network Operators and/or Telecommunications Service Operators must provide USO contribution in the form of funds based on a certain percentage of Telecommunications Operation Gross Revenue and/or other contributions.

- (3) In the event that the forms of other contributions as referred to in paragraph (2) have not yet been determined by the Minister, Telecommunications Network Operators and/or Telecommunications Service Operators must provide USO contribution in the form of funds based on a certain percentage of Telecommunications Operation Gross Revenue.

Article 188

- (1) The amount of Telecommunications BHP collected shall constitute 0.50% (zero point five zero percent) of Telecommunications Operations Gross Revenue in accordance with the provisions of laws and regulations.
- (2) The amount of USO contribution collected shall constitute 1.25% (one point two five percent) of Telecommunications Operations Gross Revenue in accordance with the provisions of laws and regulations.

Article 189

- (1) The payment of Telecommunications BHP and USO contribution as referred to in Article 187 must be made not later than April 30 of the following year.
- (2) The payment as referred to in Article 187 shall be made on a quarter or a semester basis.

Part Two

Procedures for Calculation of
Telecommunications BHP and USO Contribution Amount

Article 190

- (1) Determination of the amount of Telecommunications BHP and USO Contribution by Telecommunications Network Operators and/or Telecommunications Service Operators shall be done based on a self-calculation by referring to the financial report audited by a Public Accountant Office.
- (2) In the event that Telecommunications Network Operators and/or Telecommunications Service Operators whose financial report is not audited by a Public Accountant Office, the calculation of the amount of Telecommunications BHP and/or USO Contribution as referred to paragraph (1) shall refer to the financial report signed by the president director or the company's authorized official in accordance with the provisions of laws and regulations.

Article 191

- (1) For Telecommunications Network Operators and/or Telecommunications Service Operators whose financial report is audited by Public Accountant Office and has yet to complete the audit report until the deadline of Telecommunications BHP and USO Contribution as referred to in Article 189 paragraph (1), the payment of Telecommunications BHP and USO Contribution shall be calculated based on the unaudited financial report.
- (2) In the event that Telecommunications BHP and/or USO Contribution paid as referred to in paragraph (1) is less than the amount based on the audited financial report, Telecommunications Network Operators and/or Telecommunications Network Operators must settle the underpayment amount of basic cost and is subject to late payment penalty.
- (3) In the event that Telecommunications BHP and/or USO Contribution paid as referred to in paragraph (1) is higher than the amount payable based on the audited financial report, the overpayment amount shall be calculated as an advance payment of the following year.

Article 192

- (1) In the calculation of the amount of Telecommunications BHP and USO Contribution, revenues that are not calculated as the Telecommunications Operations Gross Revenue as referred to in Article 188 shall be the revenues gained from:
 - a. sale and lease of property and vehicles;
 - b. sale and lease of non-Telecommunications goods and services;
 - c. sale of Telecommunications devices and equipment;
 - d. lease of Telecommunications equipment that are not part of Telecommunications services based on Business Licensing obtained and without which Telecommunications services may still be provided;
 - e. sale and lease of space, towers and ducting;
 - f. consultation and assistance services;
 - g. construction and infrastructure development services;
 - h. integration and application services;
 - i. installation services of equipment other than Telecommunications Operation service activation provided by Telecommunications Operators;

- j. revenues from digital advertisement channeled through websites of Telecommunications Network Operators and/or Telecommunications Service Operators;
 - k. revenues from transaction value of money transfer and e-money business provided by Telecommunications Network Operators and/or Telecommunications Service Operators; and/or
 - l. revenues other than Telecommunications Operation besides letter a until letter k that are not part of Telecommunications services based on Business Licensing obtained.
- (2) Revenues not calculated as Telecommunications Operation Gross Revenue as referred to in paragraph (1) letter a until letter i and letter l are required to be proven by a separate account that, if needed, may be complemented with cooperation contract documents, other documents from related parties, invoices, or receipts from related parties.
- (3) Revenues that are not calculated as Telecommunications Operation Gross Revenue as referred to in paragraph (1) letter j and letter k are required to be proven by accounting separation of revenues in a separate account.
- (4) In the event that the revenues are not separated and proven as referred to in paragraph (2) and paragraph (3), they shall constitute the revenues calculated as the revenues subject to Telecommunications BHP and USO Contribution.

Article 193

- (1) Payment received from Users as revenues of Telecommunications Network Operators and/or Telecommunications Service Operators are required to be cost-based tariff.
- (2) Telecommunications Network Operators and/or Telecommunications Service Operators shall not record revenues intended to be listed as Telecommunications revenues as non-Telecommunications revenues that may lower the Telecommunications revenues as the basis for Telecommunications BHP and USO Contribution.
- (3) Any proposal of revenues not calculated as Telecommunications Operation Gross Revenue as referred to in Article 192 is required to be complemented with a guarantee statement letter, declaring that no record of revenues intended to be listed in Telecommunications revenues as non-telecommunications revenues is made, signed by the president

director or an authorized official in accordance with the provisions of laws and regulations as stated in Annex XIV, which constitutes an integral part of this Ministerial Regulation.

Article 194

Gross revenue that serves as the basis of the calculation of Telecommunications BHP and USO Contribution may be reduced by the following elements:

- a. account receivables that are evidently not collectible from Telecommunications Operations; and/or
- b. payment of Interconnection and/or Connection fee obligation received by Telecommunications Network Operators and/or Telecommunications Service Operators which constitutes other parties' rights.

Article 195

- (1) Account receivables that are evidently not collectible as referred to in Article 194 letter a shall be in the form of account receivables that have been written off as determined by the General Meeting of Shareholders or that is equivalent in accordance with the provisions of laws and regulations.
- (2) In the event that there are revenues of account receivables that are evidently not collectible as referred to in paragraph (1), the revenues of account receivables shall constitute the revenues subject to Telecommunications BHP and USO Contribution.

Article 196

- (1) Payment of Interconnection and/or Connection fee obligation as referred to in Article 194 letter b shall be in the form of Interconnection Fee obligation among Telecommunication Networks from different Telecommunications Network Operators and/or Connection fee obligation of Telecommunications Service equipment with Telecommunications Network.
- (2) Telecommunications Network interconnection Fee between Telecommunications Network Operators and overseas Telecommunications Network Operators shall not be included in the Interconnection Fee as referred to in Article 194 letter b.

- (3) Types of Interconnection and/or Connection services as referred to paragraph (1) shall refer to the provisions as regulated in this Ministerial Regulation and the provisions of laws and regulations

Part Three

Depositing Telecommunications BHP and USO Contribution

Article 197

- (1) The entire Telecommunications BHP Revenue as referred to in Article 197 paragraph (1) shall be deposited to the State Cash through the account of the Revenue Treasurer at a government-owned bank.
- (2) The entire USO Contribution Revenue as referred to in Article 187 paragraph (2) shall be deposited to the **BAKTI treasurer** through BAKTI operational account at a government-owned bank.

Part Four

Procedure for Submission of Financial Reports and Determination of Amount of Telecommunications BHP and USO Contribution

Article 198

- (1) Telecommunications Network Operators and/or Telecommunications Service Operators that have paid Telecommunications BHP and USO Contribution as referred to in Article 197 must submit the documents in 7 (seven) Days at the latest after the due date of the payment as referred to in Article 189 in which the document shall contain at least:
 - a. financial report;
 - b. chart of account;
 - c. general ledger;
 - d. trial balance;
 - e. Telecommunications BHP and USO contribution payment receipt;
and
 - f. the document as the basis of Telecommunications BHP and USO Contribution amount calculation.
- (2) The financial reports as referred to in paragraph (1) letter a shall be in the form of a financial report that has been audited by a public accountant office.
- (3) Especially for Telecommunications Network Operators and/or Telecommunications Service Operators whose financial reports are not audited by the public accountant office as referred to in Article 190

paragraph (2), they shall use a financial report signed by the President Director or an authorized official of the company that is in accordance with laws and regulations by enclosing a statement letter of not being audited by a public accountant office in accordance with the format as stated in Annex XV, which constitutes an integral part of this Ministerial Regulation.

- (4) The document as referred to in paragraph (1) shall be submitted electronically to:
 - a. Director General cq. Director, for Telecommunications BHP; and
 - b. President Director, for USO Contribution.
- (5) The document as referred to in paragraph (1) is required to be enclosed with a statement of truth letter in accordance with the format as stated in Annex XIV, which constitutes an integral part of this Ministerial Regulation.

Article 199

- (1) For the purpose of the determination of Telecommunications BHP and USO Contribution amount, Telecommunications BHP Verification and USO Contribution Verification shall be carried out to any Telecommunications Network Operators and/or Telecommunications Service Operators.
- (2) The Telecommunications BHP Verification as referred to in paragraph (1) shall be carried out by officials appointed by the Director General.
- (3) The USO Contribution Verification as referred to in paragraph (1) shall be carried out by officials appointed by the President Director.
- (4) The officials as referred to in paragraph (2) and paragraph (3) shall in advance sign the integrity pact as stated in Annex XVII, which constitutes an integral part of this Ministerial Regulation.

Article 200

In the Telecommunications BHP Verification and the USO Contribution Verification, the officials as referred to in Article 199 may request notes and/or documents that serve as the basis of recording and other documents related to the payment obligation.

Article 201

Telecommunications Network Operators and/or Telecommunications Service Operators may request Telecommunications BHP Verification and USO

Contribution Verification to be conducted after payment is made and shall submit the document as referred to in Article 198 paragraph (1).

Article 202

- (1) The results of the verification as referred to in Article 199 shall be stated in a minutes of final determination.
- (2) In the event of inconformity between the amount of Telecommunications BHP and USO Contribution based on the verification as referred to in paragraph (1):
 - a. the officials appointed by the Director General formulate an explanation regarding the inconformity of the result of Telecommunications BHP Verification; and
 - b. the officials appointed by the President Director formulate USO Contribution Verification;
stated in a minutes of nonfinal determination.

Article 203

- (1) The Verification as referred to in Article 199 paragraph (1) shall be carried out annually to Taxpayers with a Gross Revenue above Rp4,800,000,000 (four billion eight hundred million rupiah) per annum.
- (2) To Taxpayers with a gross revenue below Rp4,800,000,000 (four billion eight hundred million rupiah) annually, the verification as referred to in Article 199 paragraph (1) shall be done at least once every 5 (five) years.

Article 204

- (1) In determining the amount of Telecommunications BHP and USO Contribution as referred to in Article 199 paragraph (1), paragraph (2), and paragraph (3), and in the event of the inconformity between the amount of Telecommunications BHP and USO Contribution as referred to in Article 202 paragraph (2), the Director General and/or the President Director may request the Inspecting Agency to carry out an inspection to Telecommunications Network Operators and/or Telecommunications Service Operators.
- (2) The determination of the amount of Telecommunications BHP and USO Contribution may be carried out by the Inspecting Agency in accordance with the provisions of laws and regulations.
- (3) The result of the inspection and the determination carried out by the Inspection Agency as referred to in paragraph (1) and paragraph (2) shall

be issued in the form of a payment notification letter signed by the Director and/or the President Director.

Article 205

- (1) In the event that based on the results of the verification as referred to in Article 202 paragraph (1) and/or the results of the inspection and determination as referred to in Article 204 paragraph (3), there is an underpayment amount of basic cost of the obligations of the Telecommunications BHP and the USO Contribution, the Telecommunications Network Operators and/or Telecommunications Service Operators must pay the said underpayment amount of basic cost and late payment penalty, if the payment is overdue as referred to in Article 189 paragraph (1).
- (2) In the event that there is an underpayment amount of basic cost and late payment penalty as referred to in paragraph (1), an invoice and a letter of determination of non-tax state revenue underpayment shall be issued.
- (3) If based on the results of the verification as referred to in Article 202 paragraph (1) and/or the results of the inspection and determination as referred to in Article 204 paragraph (3) there is an **overpayment** of basic cost of the obligations of the Telecommunications BHP and the USO Contribution, the overpayment shall be calculated as part of the next year's prepayment and a letter of determination of non-tax state revenue overpayment shall be issued.
- (4) If based on the results of the verification as referred to in Article 202 paragraph (1) and/or the results of the inspection and determination as referred to in Article 204 paragraph (3) there is no overpayment and underpayment of the obligations of the Telecommunications BHP and USO Contribution, a letter of determination of nil non-tax state revenue shall be issued.

Article 206

- (1) The Telecommunication BHP collection shall be carried out by the Directorate General based on standard operating procedures determined by the Director General.
- (2) The USO Contributions collection shall be carried out by BAKTI based on the standard operating procedures determined by the President Director.

Article 207

Telecommunications Network Operators and/or Telecommunications Service Operators may lodge an objection to the results of the determination of the amount of Telecommunications BHP and/or USO Contributions as referred to in Article 204 paragraph (3) not later than 3 (three) months from the date of determination with the terms and procedures in accordance with the provisions of laws and regulations.

Article 208

Telecommunications Network Operators and/or Telecommunications Service Operators violating the provisions as referred to in Article 193 paragraph (2) shall be subject to sanctions in accordance with the provisions of laws and regulations.

Article 209

- (1) The imposition of a late payment penalty as a result of a late payment as referred to in Article 191 paragraph (2) or an underpayment of basic cost as referred to in Article 205 paragraph (1) shall be calculated from the due date as referred to in Article 189 paragraph (1).
- (2) The amount of the late payment penalty as referred to in paragraph (1) shall be 2% (two percent) per month of the total payable Telecommunications BHP and/or USO Contribution and part of the month shall be calculated as 1 (one) full month.
- (3) The late payment penalty as referred to in paragraph (2) shall be imposed for a maximum of 24 (twenty four) months.

Article 210

- (1) The Director and the President Director shall issue the first invoice addressed to the Telecommunications Network Operators and/or Telecommunications Service Operators who have not paid the underpayment of basic cost and late payment fine based on the determination as referred to in Article 202 paragraph (1) and/or Article 204 paragraph (3).
- (2) The first invoice as referred to in paragraph (1) shall be issued not later than 10 (ten) Days after the due date of payment based on the determination as referred to in Article 202 paragraph (1) and/or Article 204 paragraph (3).
- (3) If within a period of 1 (one) month as of the date of the issuance of the first invoice as referred to in paragraph (2), the Telecommunications

Network Operators and/or Telecommunications Service Operators fail to fulfil their obligations, a second invoice shall be issued.

- (4) If within a period of 2 (two) months as of the date of the issuance of the second invoice as referred to in paragraph (3) the Telecommunications Network Operators and/or Telecommunications Service Operators fail to fulfil their obligations, a third invoice shall be issued.
- (5) If within a period of 3 (three) months as of the date of the issuance of the third invoice as referred to in paragraph (4) the Telecommunications Network Operators and/or Telecommunications Service Operators fail to fulfil their obligations, the following provisions shall apply:
 - a. handover of collection to the institutions authorized to manage state receivables to be processed in accordance with the provisions of the laws and regulations is made;
 - b. handover of collection to the authorized institutions as referred to in letter a with a deadline for payment is made;
 - c. administrative sanctions in the form of a written reprimand for a maximum of 3 (three) times with a period of 7 (seven) Working Days each, are imposed;
 - d. in the event that until the third written reprimand period, they fail to fulfil the obligation to pay the underpayment of basic cost and the late payment penalty as referred to in letter c, administrative sanctions are imposed in the form of temporary suspension of business activities; and/or
 - e. in the event of the failure to fulfil the obligations of the underpayment of basic cost and late payment penalty until the quinquennial evaluation of the Telecommunications Network Operation and Telecommunications Service Operation, an administrative sanction is imposed in the forms of cancellation of service and/or revocation of Business Licensing.

Part Five
Reporting

Article 211

- (1) All Telecommunications Network Operators and/or Telecommunications Service Operators must report their self-calculation of Telecommunications BHP and USO Contributions for each Fiscal Year not later than 31 January of the following year.

- (2) In the event that the Telecommunications Network Operators and/or Telecommunications Service Operators fail to submit the self-calculation report as referred to in paragraph (1) by January 31 of the following year, the Director General and the President Director shall calculate the Telecommunications BHP and USO Contributions by referring to the previous year's calculation of Telecommunications BHP and USO Contributions or other relevant data.
- (3) After the reporting of Telecommunications BHP and USO Contributions based on either self-calculation or Verification is made, the Director General and the President Director shall issue a notification letter of non-tax payable state revenue.
- (4) Payers may apply for correction of the report based on self-calculation of Telecommunications BHP and USO Contributions, insofar as they meet the specified requirements before the payment due date as referred to in Article 189 paragraph (1).

Article 212

The self-calculation reporting, billing, and management of Telecommunications BHP and USO Contribution shall be carried out through an electronic system.

Article 213

The Receiving Treasurer and Operational Account Manager must report all receipts of Telecommunications BHP and/or USO Contribution to the Minister every month with a deadline of not later than the 10th day of the following month along with a carbon copy to the Secretary General of the Ministry, Director General, and Inspector General of the Ministry.

CHAPTER XVI

PROCEDURES FOR EVALUATION OF OPERATIONAL OBLIGATIONS IN TELECOMMUNICATIONS OPERATION BUSINESS LICENSES

Part One

Procedure for Annual Evaluation of Telecommunications Operation Business
Licensing

Article 214

- (1) Telecommunications Network Operators and Telecommunications Service Operators shall submit an annual report through an electronic reporting system determined by the Directorate General.
- (2) Fiscal Year Period shall be January 1 to December 31.
- (3) Exempted from the provisions as referred to in paragraph (2), the first year period shall start from the effective date of the Business Licensing until the end of the Fiscal Year.
- (4) An annual report shall be submitted for 1 (one) Fiscal Year.
- (5) The annual report as referred to in paragraph (4) shall be submitted not later than April 30 of the following year.
- (6) The Director General shall issue a Notification Letter for Annual Report Submission not later than 1 (one) month prior to report submission deadline as referred to in paragraph (5) that contains notification of the obligation to submit the annual report and the annual report submission deadline and contains notification of the administrative sanctions to be imposed if the obligation is violated.
- (7) The Director General may request additional data and information beyond those reported in the annual report to the Telecommunications Operator if the need arises.
- (8) The Director General shall conduct an annual evaluation of Telecommunications Operations through:
 - a. verification and clarification of annual report documents;
 - b. factual verification in the field if the need arises; and
 - c. analysis of compliance with obligations based on Business Licensing for Telecommunications Operations and/or the provisions of laws and regulations.
- (9) The results of the annual evaluation shall be stated in the Minutes of the Annual Evaluation.
- (10) The Minutes of annual evaluation shall at least contain:
 - a. information on the time and place of the annual evaluation; and
 - b. information on compliance or non-compliance with:
 1. the provisions in Telecommunications Operation Business Licensing; and/or
 2. the provisions of laws and regulations.

Part Two

Procedure for Quinquennial Evaluation of Business Licensing for Telecommunications Operations

Article 215

- (1) The Director General shall carry out evaluation of Telecommunications Network Operation and Service Operation every 5 (five) years.
- (2) The quinquennial evaluation shall be carried out by compiling the recapitulation of operations based on:
 - a. the results of the annual evaluations carried out within the last 5 (five) years;
 - b. fulfilment of the obligation of Telecommunications BHP payment made within the last 5 (five) years; and
 - c. fulfilment of USO Contributions made within the last 5 (five) years.
- (3) If the need arises, the Director General may:
 - a. request additional data and information from the Telecommunications Operators;
 - b. carry out further clarification with relevant parties; and/or
 - c. carry out factual verification in the field.
- (4) The Director General shall carry out the quinquennial evaluation of Telecommunications operations through:
 - a. verification and clarification of annual report document;
 - b. factual verification in the field if the need arises; and
 - c. analysis of compliance with obligations based on Business Licensing and/or provisions of laws and regulations.
- (5) The evaluation results shall be stated in the Minutes of Quinquennial Evaluation.
- (6) The results of the quinquennial evaluation are required for adjustment recommendations to Telecommunications Network Operations and Telecommunications Service Operations Business Licensing for the next 5 (five) years.
- (7) The recommendations for Business Licensing adjustment as referred to in paragraph (6) shall be given to Telecommunications Network Operators and Telecommunications Service Operators that meet the following conditions:
 - a. fulfilling at least 50% (fifty percent) of the development obligations for Telecommunications Network Operators or at least 100% (one hundred percent) of service commitment for Telecommunications Service Operators; and
 - b. fulfilling the obligation to pay Telecommunications BHP and USO Contributions.
- (8) The Director General shall submit the quinquennial evaluation results to Telecommunications Operators.

Part Three

Benchmarks and Procedures for Assessing Fulfillment of Commitment to
Develop Telecommunications Networks and Telecommunications Services

Article 216

The obligation to fulfill deployment commitments of Telecommunications Networks and Telecommunications Services shall be assessed based on the benchmarks listed in the Telecommunications Operation Business Licensing.

Article 217

- (1) Assessment of deployment commitment fulfillment of Telecommunications Networks and Telecommunications Services shall be determined by the average value of fulfillment.
- (2) The fulfillment of deployment commitment of Telecommunications Networks and Telecommunications Services shall be assessed according to the following formula:

$$\text{Benchmark Component Fulfillment} = \frac{\text{Realization of Telecommunications Networks or Services Deployment}}{\text{Telecommunications Services or Networks Deployment Commitments}} \times 100\%$$

$$\text{Average Values} = \frac{TU1+TU2+\dots+TU_n}{n}$$

- a. TU1, TU2, ..., TUn are benchmarks that become benchmark components.
 - b. n is the number of benchmark components.
- (3) The example of assessment of deployment commitment fulfillment of Telecommunications Networks and Telecommunications Services as stated in Annex XVIII shall constitute an integral part of this Ministerial Regulation.
 - (4) Assessment of the deployment commitment fulfillment of Telecommunications Networks and Telecommunications Services shall be carried out annually based on the result of annual evaluation.
 - (5) Assessment of the deployment commitment fulfillment of Telecommunications Networks and Telecommunications Services in the quinquennial evaluation shall be carried out cumulatively on the total deployment commitment for 5 (five) years.

- (6) In the event that Telecommunications Network Operators own more than 1 (one) network technology in 1 (one) operations service, the percentage assessment of the deployment fulfillment shall be calculated based on the deployment fulfillment for each network technology.
- (7) The maximum score for each benchmark shall be 100% (one hundred percent).

CHAPTER XVII OVERSIGHT AND CONTROL

Part One General Provisions

Article 218

- (1) Oversight and Control over the implementation of this Ministerial Regulation shall be carried out by the Minister through the Director General.
- (2) The oversight and control as referred to in paragraph (1) shall comprise:
 - a. monitoring and evaluation of the Telecommunications Operation provision fulfillment; and
 - b. imposition of sanctions for violations by Telecommunications Operators.
- (3) The Monitoring and/or evaluation as referred to in paragraph (2) letter a shall be in the forms of:
 - a. monitoring;
 - b. annual evaluation;
 - c. comprehensive quinquennial evaluation;
 - d. observation;
 - e. testing and measurement;
 - f. verification; and/or
 - g. matching and examination.

Part Two Telecommunications Monitoring System

Article 219

- (1) In carrying out monitoring and evaluation as referred to in Article 218 paragraph (3) letter c, the Minister shall establish Telecommunications

- Operation monitoring system by utilizing information and communication technology.
- (2) Telecommunications Operators must open access and/or provide the requested information for the purposes of monitoring and evaluation as referred to in paragraph (1).
 - (3) The access opening as referred to in paragraph (2) shall be carried out through connection between Telecommunications Operation with Telecommunications Operation monitoring system.
 - (4) Technical provisions related to the Telecommunications monitoring system shall be further determined by the Director General.

Part Three

Data and Information Submission

Article 220

- (1) Any Telecommunications Operator must open access and provide information as referred to in Article 219 paragraph (2) periodically with a deadline for submission not later than 1 (one) month after the end of the reporting period.
- (2) Telecommunications infrastructure distribution report shall be submitted by the operator every 3 (three) months, with the deadline for submitting the report not later than 1 (one) month after the due date.
- (3) Service disturbance report shall be submitted by the Telecommunications Operators Near Real-Time.
- (4) The Service disturbance report as referred to in paragraph (3) shall comprise, but not limited to:
 - a. critical Alarm and major Alarm for cellular mobile network operation;
 - b. Fiber Optic (FO) Cut for closed Fixed Network Operation and circuit switched and packet switched-based local fixed networks; and/or
 - c. failure of satellite Telecommunications Networks for Closed Fixed Networks Operation.
- (5) The Critical Alarm as referred to in paragraph (4) letter a shall be a network disturbance occurring when the core network experiences a blackout resulting in the outage of all customer services including, but not limited to, voice, Short Message service (SMS), and data.

- (6) The Major Alarm as referred to in paragraph (4) letter a shall be a disturbance occurring when the Radio Network Controller (RNC) and Base Station Controller (BSC) experience a blackout resulting in the outage of all customer services including, but not limited to, voice, Short Messages Service (SMS), and data.
- (7) In the event that the Telecommunications Network Operators only have a Long-Term Evolution (LTE) network, the major Alarm shall only be a disturbance occurring at the Serving Gateway/Packet Data Network Gateway (SGW/PGW).
- (8) In the event that the Telecommunications Network Operators have less than 10 (ten) Base Transceiver Stations (BTS) in any regency/city, a major alarm will be activated in the event that 50% (fifty percent) of the Base Transceiver Stations (BTS) are down.
- (9) Technical provisions related to the data and information submission shall be further determined by the Director General.

Part Four

Information and Data Security

Article 221

The Minister shall ensure data confidentiality and security submitted by Telecommunications Operators.

CHAPTER XVIII

OPERATIONS OBLIGATIONS AND ADMINISTRATIVE SANCTIONS

Part One

Operation Obligation

Article 222

Telecommunications Network Operator and Telecommunications Service Operators must meet the following operations requirements:

- a. complying with the provisions of the National Telecommunications Fundamental Technical Plan in accordance with the provisions of laws and regulations;
- b. taking security and protection measures for services they provide and Telecommunications facilities and infrastructure in accordance with the provisions of laws and regulations;

- c. fulfilling the obligations of Telecommunications BHP payment in accordance with the provisions of laws and regulations;
- d. fulfilling USO Contributions in the forms of funds based on a certain percentage from Telecommunications Operations Gross Revenue in accordance with the provisions of laws and regulations;
- e. submitting documents after fulfilling the Telecommunications BHP and USO Contributions obligations as referred to in Article 198 paragraph (1);
- f. stating any Telecommunications Operations cooperation in a written agreement;
- g. complying with the provisions of share ownership structure at the Telecommunications Operators juristic person in accordance with the provisions of laws and regulations;
- h. fulfilling Telecommunications Operations quality standard;
- i. publishing the achievement of quality of service standard for each reporting period online through the information service website owned by the Telecommunications Operators;
- j. submitting Telecommunications Operations reports in accordance with the provisions of laws and regulations;
- k. determining the amount of Telecommunications Operations tariff based on a formula determined by the Minister;
- l. for Telecommunications Network Operators:
 - 1. stating Telecommunications Network lease cooperation in a written agreement;
 - 2. fulfilling the deployment commitment and/or providing the network in a comprehensive manner;
 - 3. fulfilling any request from prospective Telecommunications Network Subscribers who have fulfilled requirements for subscribing to Telecommunications Network insofar as the Telecommunications Networks are available;
 - 4. guaranteeing Interconnection availability; and
 - 5. providing Interconnection without discrimination, and mutually providing services in accordance with the service level agreed.
- m. for Telecommunications Service Operators:
 - 1. fulfilling the commitment on service and/or provision of Telecommunications Service in a comprehensive manner;
 - 2. keeping a log of, recording, and/or storing in details the use of Telecommunications Services used by Subscribers for a minimum of 3 (three) months;

3. maintaining data of Telecommunications Service quality of service for 1 (one) Fiscal Year and storing it until the next 1 (one) Fiscal Year; and
 4. fulfilling the provisions of the registration of Telecommunications Service Customer as referred to in Article 153 paragraph (2), Article 153 paragraph (3), Article 153 paragraph (5), Article 154 paragraph (1), Article 155 paragraph (1), Article 159 paragraph (2), Article 161 paragraph (1), Article 161 paragraph (2), Article 161 (paragraph (3), Article 162 (paragraph (1), Article 166, Article 168, Article 169 paragraph (1), Article 170, Article 171, Article 172, Article 174, and Article 175.
- n. other obligations in accordance with the provisions of laws and regulations.

Article 223

- (1) Special Telecommunications Operators for the purpose of juristic persons must meet the following provisions:
 - a. submitting special Telecommunications operation report;
 - b. returning Business Licensing if special Telecommunications Network is no longer needed; and
 - c. other obligations in accordance with the provisions of laws and regulations.
- (2) Business Players who conduct Telecommunications Service Resale business activities must meet the following requirements:
 - a. fulfilling standards of Telecommunications Service Resale business activities in accordance with the provisions of laws and regulations;
 - b. having a cooperation agreement between Telecommunications Service Operators and Telecommunication Service Reseller with the following provisions:
 1. Telecommunications Service Resellers use the service trademark of Telecommunications Service Operators for resale and may add the Telecommunications Service Reseller's trademark to the Subscribers (end user);
 2. Telecommunications Service Resellers fulfill the provisions of Telecommunications Service quality of service standard that has been committed by the Telecommunications Service Operators;

3. all revenues from Telecommunications Service Resellers become revenues of and are recorded by Telecommunications Service Operators;
 4. the billing states the trademark of Telecommunications Service Operators; and
 5. in the event that Telecommunications Service resale is based on internet protocol, Telecommunications Service Reseller must use a public Internet Protocol Address and an Autonomous System Number owned by a Telecommunications Service Operator.
- c. guaranteeing the continuity of all operated Telecommunications services for Telecommunications Service Operators undertaking a Telecommunications Service Resale cooperation; and
 - d. ensuring consumer protection.

Part Two

Administrative Sanctions

Paragraph 1

Objective of Administrative Sanction Imposition

Article 224

The imposition of administrative sanctions shall aim to:

- a. improve Business Players' compliance with the provisions of laws and regulations;
- b. promote infrastructure penetration and quality of telecommunication services; and
- c. guarantee the rights of Telecommunications service users.

Paragraph 2

Violations and Procedures for Imposing Administrative Sanctions

Article 225

- (1) Any violation of Business Licensing and/or the provisions as referred to in Article 222 and Article 223 shall be subject to administrative sanctions.
- (2) The administrative sanctions as referred to in paragraph (1) shall be imposed according to the type of violation on Business Players who carry out the following business activities:

- a. Telecommunications Network Operation;
 - b. Telecommunications Service Operation;
 - c. Special Telecommunications Operation for juristic persons purposes;
 - d. Telecommunications Service Resale; and/or
 - e. obtaining Telecommunications Numbering assignment.
- (3) The administrative sanctions as referred to in paragraph (1) may be in the forms of:
- a. written reprimands;
 - b. imposition of administrative penalty;
 - c. temporary suspension of business activities;
 - d. access termination;
 - e. policing enforcement¹;
 - f. service cancellation; and/or
 - g. revocation of Business Licensing.
- (4) The administrative sanctions as referred to in paragraph (3) letter c, letter d, and/or letter e shall be imposed based on an assignment order, documented and stated in a minutes.
- (5) In the event that the administrative sanction as referred to in paragraph (3) is imposed on a Business Player that fails to obtain a Business Licensing as regulated in the provisions of laws and regulations, the administrative sanction shall be preceded by an order to cease the violation, which at least states the articles being violated, sanctions to be imposed, deadline, and order to cease activities that violate the provisions.
- (6) In the event that the Business Player violating Business Licensing obligations and/or the provisions of laws and regulations is a passive infrastructure provider, the Minister may give recommendations to institutions authorised for the imposition of administrative sanctions.
- (7) The imposition of administrative sanctions may be carried out in tier or independently for each type of administrative sanction.
- (8) The imposition of administrative sanctions, in addition to revocation of services and/or Business Licensing, shall not eliminate the obligation of Business Players to fulfil their Business Licensing obligations and/or provisions, which are violated as referred to in paragraph (1).
- (9) Cancellation of services and/or revocation Business Licensing shall not cancel the obligations of Business Player which are state receivables.

¹ Translator's note: law enforcement conducted by non-police officers

Article 226

- (1) Result of examination on violations against the provisions of laws and regulations in the Telecommunications sector, which are indicated as criminal acts in the telecommunications sector, shall be delegated to Civil Servant Investigators.
- (2) The handling of criminal offenses in the Telecommunications sector shall not invalidate the imposition of administrative sanctions.

Article 227

Imposition of administrative sanctions for Business Players' violations against obligations to:

- a. guarantee the availability of Interconnection;
- b. comply with the provision of providing Interconnection without discrimination, and mutually providing services in accordance with the service level agreed;
- c. grant any application from a prospective Telecommunications Network subscribers who have fulfilled the requirements for subscribing to Telecommunications Network insofar as the Telecommunications Networks are available; and/or
- d. open access to the utilization of passive infrastructure to Telecommunications Operators,

shall be carried out based on complaints supported by evidence in accordance with the provisions of laws and regulations.

Article 228

- (1) The Director General may publish violations of the provisions as referred to in Article 7, Article 40 paragraph (1), Article 41, Article 48, Article 74, Article 79, Article 80, Article 81, Article 82, Article 85, Article 89 paragraph (2), Article 91 paragraph (2), Article 98 paragraph (5), Article 100 paragraph (1), Article 100 paragraph (3), Article 106, Article 108 paragraph (1), Article 113 paragraph (1), Article 114 paragraph (1), Article 116 paragraph (1), Article 119 paragraph (1), Article 121 paragraph (2), Article 121 paragraph (3), Article 121 paragraph (4), Article 122, and/or Article 126, through Ministry's website.
- (2) Publication of the violation as referred to in paragraph (1) may be preceded by the issuance of a written reprimand.
- (3) The written reprimand as referred to in paragraph (2) shall be given a maximum of 3 (three) times with a period of 7 (seven) Working Days each.

Section 3

Procedure for the Imposition of Administrative Sanction in the form of Written Reprimand

Article 229

- (1) The Director shall issue the written reprimand as referred to in Article 225 paragraph (3) letter a for Business Players that violate and/or fail to fulfill their Business Licensing obligations not later than 10 (ten) Working Days since the discovery of the violation of obligations as stated in the minutes and/or other evidence.
- (2) The written reprimand as referred to in paragraph (1) shall contain an order to immediately comply with business obligations or carry out business activities in accordance with the provisions within the determined period and the next tiers of administrative sanctions in accordance with the provisions of laws and regulations.
- (3) The process of imposing the written reprimand as referred to in paragraph (2) shall be terminated if the Business Players fulfills their obligations.

Section 4

Procedure for Objection

Article 230

- (1) An objection shall be an administrative measure that may be lodged by a Business Player receiving administrative sanctions.
- (2) Objections shall not delay the imposition of administrative sanctions.
- (3) Business Players may lodge an objection to the Director General within a period of not later than 21 (twenty one) Working Days since the issuance of the first written reprimand according to the type of violation by attaching supporting documents.
- (4) Exempted from paragraph (3), regarding violation of the obligation to submit annual report, Business Players may lodge an objection to the Director General within a period of not later than 21 (twenty one) Working Days since the issuance of Payment Notification.
- (5) Business Players lodging an objection to the violation decision as referred to in paragraph (1) must submit a statement of objection and supporting evidence proving no violation committed.

- (6) The Director General shall settle the objection as referred to in paragraph (3) or paragraph (4) not later than 10 (ten) Working Days since the objection received as evidenced by the receipt.
- (7) In the event that the Director General does not settle the objection within the period as referred to in paragraph (6), the objection is deemed to have been granted.
- (8) The Director General shall make a decision to accept or reject the objection not later than 5 (five) Working Days after the end of the grace period as referred to in paragraph (6).
- (9) In the event that the objection is accepted, the administrative sanction given in relation to the violation of the said obligation shall be declared null and void.
- (10) In the process of settling the objection as referred to in paragraph (6), the Director General shall be authorized to request additional information from relevant Business Players, or other parties deemed necessary.

Section 5
Procedure for the Imposition of
Administrative Penalties

Article 231

- (1) Director shall issue a payment notification letter for the imposition of administrative penalty as referred to in Article 225 paragraph (3) letter b, which contains:
 - a. the amount of the penalty imposed;
 - b. payment due date;
 - c. deposit method; and
 - d. information on late payment penalty in accordance with the provisions of laws and regulations.
- (2) The notification of payment as referred to in paragraph (1) shall be issued:
 - a. 1 (one) Working Day after the end of the deadline for submitting the annual report for administrative sanctions related to the obligation to submit annual report; or
 - b. 1 (one) Working Day after the expiration date of the last written reprimand for administrative sanction preceded by a written reprimand.

- (3) The payment due date as referred to in paragraph (1) letter b shall be 1 (one) month since the issuance of the payment notification.
- (4) In the event that within 10 (ten) Working Days after the payment due date as referred to in paragraph (3), the Business Player has not fulfilled or fails to fulfil the obligations, the Director shall issue the first invoice.
- (5) In the event that within a period of 1 (one) month as of the date of the issuance of the first invoice as referred to in paragraph (4), the Business Player has not fulfilled or fails to fulfill the obligations, the Director shall issue a second invoice.
- (6) In the event that within a period of 2 (two) months as of the date of the issuance of the second invoice as referred to in paragraph (5), the Business Player has not fulfilled or fails to fulfill the obligations, the Director shall issue a third invoice.
- (7) In the event that within a period of 3 (three) months as of the date of the issuance of the third invoice as referred to in paragraph (6), the Business Player has not fulfilled or fails to fulfill the obligations, the following provisions shall apply:
 - a. the Business Player is subject to sanction in accordance with the provisions of laws and regulations; and/or
 - b. the payment collection is handed over to the institutions authorized to manage state receivables to be processed in accordance with the provisions of laws and regulations in the field of state receivables.
- (8) Late payment of a penalty that exceeds the payment due date as determined in the payment notification shall be subject to a sanction of late payment penalty of 2% (two percent) per month of the amount of the penalty that is required to be paid, and part of the month is calculated as 1 (one) full month.
- (9) Administrative sanction in the form of penalty as referred to in paragraph (8) shall be imposed for a maximum period of 24 (twenty-four) months.
- (10) Payment of administrative sanction in the form of penalty by Business Players shall be deposited directly into the state cash through the Revenue Treasurer's account at a designated government bank.

Section 6

Procedure for Temporary Suspension of Business Activities

Article 232

- (1) The temporary suspension of business activities as referred to in Article 225 paragraph (3) letter c shall be an administrative sanction to cease

the operational activities of the Business Players within a certain period of not longer than 1 (one) year.

- (2) In the event that the Business Players who are given the administrative sanction in the form of the temporary suspension of business activities have fulfilled their obligations before the period of the temporary suspension of business activities ends, the Business Players are required to report to the Director who orders the temporary suspension of business activities.
- (3) The Director shall determine the termination of the temporary suspension of business activities based on the report as referred to in paragraph (2).

Section 7

Procedure for Access Termination

Article 233

- (1) Access termination as referred to in Article 225 paragraph (3) letter d shall be an administrative sanction to disconnect network Connection due to violations committed.
- (2) The access termination as referred to in paragraph (1) may be in the forms of:
 - a. link Connection termination;
 - b. network/service total shutdown; and/or
 - c. equipment dismantling.
- (3) The access termination as referred to in paragraph (2) shall be imposed until the fulfilment of obligation that is required to be carried out by Business Players for violations committed.

Section 8

Procedures for Imposing Administrative Sanctions with Policing Enforcement

Article 234

- (1) Policing enforcement as referred to in Article 225 paragraph (3) letter e may be in the forms of:
 - a. requesting the identity of the violator and documenting it in a digital form;
 - b. entering and inspecting the location of business activities;

- c. requesting information from the Business Players who commits the violation;
 - d. summoning Business Players who commit the violation; and/or
 - e. temporary sealing of supporting device and/or equipment used for business activities.
- (2) Policing enforcement as referred to in paragraph (1) may be conducted in conjunction with other administrative sanctions.

Paragraph 9

Procedure for the Revocation of Service and/or Business Licensing

Article 235

- (1) Director shall issue a recommendation for revocation of services as referred to in Article 225 paragraph (3) letter f and/or revocation of Business Licensing as referred to in Article 225 paragraph (3) letter g as the last stage of administrative sanctions imposition stages.
- (2) The revocation of services and/or Business Licensing may be carried out immediately in the event that the violation committed by the Business Players poses a threat to the state security and/or has the potential to cause state losses.
- (3) Business Players who have been given administrative sanctions of revocation of services and/or Business Licensing as referred to in paragraph (1) may apply for new services and/or Business Licensing after passing a grace period of 2 (two) years as of the date of the revocation and has fulfilled the obligation, which constitutes state receivable.

Part Three

Details of Imposition of Administrative Sanctions

Article 236

Provisions on the details of the imposition of administrative sanctions as referred to in Article 225, Article 229, and Article 231 to Article 235, shall be listed in Annex XIX, which constitutes an integral part of this Ministerial Regulation.

Part Four
Blacklist

Article 237

- (1) The Board of Directors, management, individuals, and/or juristic person of Business Players may be included in the Operator Blacklist in the event that the Business Players are subject to administrative sanction in the form of revocation of services and/or Business Licensing.
- (2) The Board of Directors, management, individuals, and/or juristic person of Business Players who are included in the Operator Blacklist, shall be prohibited from being involved in Telecommunications Operations.
- (3) The Board of Directors, management, individuals, and/or juristic person of Business Players may be removed from the Operator Blacklist after:
 - a. 2 (two) years from the date of inclusion in the Operator Blacklist; and/or
 - b. obligations that constitute state receivables are fulfilled.

Part Five

Sanction Imposition on Special Economic Zones and Free Trade and Free
Port Zones

Article 238

Administrative sanction imposition for Special Economic Zones and/or Free Trade and Free Port Zones shall be carried out based on the authority in accordance with the provisions of laws and regulations.

CHAPTER XIX

TRANSITIONAL PROVISIONS

Article 239

- (1) As from the time at which this Ministerial Regulation comes into force, all RIO, Interconnection cooperation agreements, and principal agreements on access to FPI among Telecommunications Network Operators existing prior to the establishment of this Ministerial Regulation shall be declared as remaining in effect insofar as not contradictory with the provisions in this Ministerial Regulation.
- (2) In the event that Telecommunications Operators implement Internet protocol-based Interconnection, the amount of Interconnection Fee may

refer to the RIO and Interconnection cooperation agreements as referred to in paragraph (1).

- (3) The amount of Interconnection Fee as referred to in paragraph (2) may apply until the determination of the full-scale internet protocol-based (full-IP) Interconnection Fee provision.
- (4) Implementation of the technical provisions on internet protocol-based Interconnection as referred to in Article 90 may be carried out until the determination of the full-scale Internet protocol-based (full-IP) Interconnection technical provisions.

Article 240

- (1) The transition period for the implementation of internet protocol-based Interconnection starts from 1 July 2021 until 31 December 2024.
- (2) During the transition period as referred to in paragraph (1), Telecommunications Network Operators may implement Time-Division Multiplexing (TDM)-based Interconnection and internet protocol-based Interconnection.
- (3) A full-scale internet protocol-based (full-IP) Interconnection may be implemented from 1 January 2025.

Article 241

- (1) A juristic person that has used a non-content service short message access code prior to the establishment of this Ministerial Regulation must adjust to the provisions in this Ministerial Regulation not later than 1 (one) year after this Ministerial Regulation comes into force.
- (2) Content providers and public information service providers that have used access code based on Unstructured Supplementary Service Data (USSD) and USSD Menu Browser (UMB) prior to the establishment of this Ministerial Regulation must adjust to the provisions in this Ministerial Regulation not later than 1 (one) year after this Ministerial Regulation comes into force
- (3) Telecommunications operators, government institutions, and state-owned enterprises that have used Telecommunication Numbering prior to the establishment of this Ministerial Regulation, with differences in databases, numbering assignment documents, and/or the implementation, must adjust to the provisions in this Ministerial Regulation not later than 2 (two) years after this Ministerial Regulation comes into force.

CHAPTER XX
CLOSING PROVISIONS

Article 242

As from the time at which this Ministerial Regulation comes into force, all provisions of laws and regulations on Telecommunication Operations shall be declared as remaining in effect insofar as not contradictory with the provisions in this Ministerial Regulation or not specifically regulated in this Ministerial Regulation.

Article 243

As from the time at which this Ministerial Regulation comes into force:

- a. Regulation of Minister of Communications and Informatics Number 16/PER/M.KOMINFO/9/2005 on Provision of International Telecommunications Transmission Facilities through Submarine Cable Communications System;
- b. Regulation of Minister of Communications and Informatics Number 08/PER/M.KOMINFO/1/2006 on Interconnection;
- c. Regulation of Minister of Communications and Informatics Number 03/PER/M.KOMINFO/1/2007 on Network Lease;
- d. Regulation of Minister of Communications and Informatics Number: 09/PER/M.KOMINFO/04/2008 on Tariff Determination Procedures for Telecommunications Services carried through Cellular Mobile Networks;
- e. Regulation of Minister of Communications and Informatics Number: 15/PER/M.KOMINFO/04/2008 on Tariff Determination Procedures for Basic Telephony Services carried through Fixed Networks;
- f. Article 82 paragraph (1) of Regulation of Minister of Communications and Informatics Number: 01/PER/M.KOMINFO/01/2010 on Telecommunications Network Operations as amended several times, most recently by Regulation of Minister of Communications and Informatics Number 7 of 2015 on the Second Amendment to Regulation of Minister of Communications and Informatics Number 01/PER/M.KOMINFO/01/2010 on Telecommunications Network

- Operations (Official Gazette of the Republic of Indonesia Year 2015 Number 250);
- g. Regulation of Minister of Communications and Informatics Number 11 of 2014 on Procedures for Imposing Administrative Sanctions in the Form of Penalties against Telecommunications Operators (Official Gazette of the Republic of Indonesia Year 2014 Number 217);
 - h. Regulation of Minister of Communications and Informatics Number 17 of 2016 on Guidelines for Imposition of Tariffs for Non-Tax State Revenues from Telecommunications BHP and USO Contribution (Official Gazette of the Republic of Indonesia Year 2016 Number 1444) as amended by Regulation of Minister of Communications and Informatics Number 19 of 2016 on Amendment to Regulation of Minister of Communication and Informatics Number 17 of 2016 on Guidelines for Imposition of Tariffs for Non-Tax State Revenues from Telecommunications BHP and USO Contribution (Official Gazette of the Republic of Indonesia Year 2016 Number 1676);
 - i. Regulation of Minister of Communications and Informatics Number 12 of 2016 on Registration of Telecommunications Service Subscribers (Official Gazette of the Republic of Indonesia Year 2016 Number 1135) as amended several times, most recently by Regulation of Minister of Communications and Informatics Number 21 of 2017 on the Second Amendment to Regulation of Minister of Communications and Informatics Number 12 of 2016 on Registration of Telecommunications Service Subscribers (Official Gazette of the Republic of Indonesia Year 2017 Number 1450);
 - j. Article 26 paragraph (2) of Regulation of Minister of Communications and Informatics Number 7 of 2018 on Electronically-Integrated Business Licensing Services in the field of Communications and Informatics (Official Gazette of the Republic of Indonesia Year 2018 Number 1041) as amended by Regulation of Minister of Communications and Informatics Number 7 of 2019 on Amendment to Regulation of Minister of Communication and Informatics Number 7 of 2018 on Electronically-Integrated Business Licensing Services in the field of Communications and Informatics (Official Gazette of the Republic of Indonesia Year 2019 Number 841);

shall be repealed and declared ineffective.

*Seal of President of
the Republic of Indonesia*

This Ministerial Regulation shall come into force on the date of its promulgation.

For public cognizance, it is hereby ordered that this Ministerial Regulation be promulgated in the Official Gazette of the Republic of Indonesia.

Established in Jakarta

On 31 March 2021

MINISTER OF COMMUNICATIONS AND INFORMATICS OF THE REPUBLIC
OF INDONESIA,

signed

JOHNNY G. PLATE

Promulgated in Jakarta

on 1 April 2021

DIRECTOR GENERAL OF LAWS AND REGULATIONS
MINISTRY OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

signed

WIDODO EKATJAHJANA

OFFICIAL GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2021 NUMBER
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