

REGULATION OF THE PRESIDENT OF THE REPUBLIC OF INDONESIA

NUMBER 28 OF 2021

ON

NATIONAL CYBER AND CRYPTO AGENCY

BY THE BLESSINGS OF ALMIGHTY GOD

PRESIDENT OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that in order to realize the security, protection, and sovereignty of national cyberspace as well as increasing the national economic growth, it is necessary to structure the organization of National Cyber and Crypto Agency;
 - b. that to optimize the performance of duty and function in the field of cybersecurity and cryptography, a more effective and efficient National Cyber and Crypto Agency is necessary;
 - c. that Presidential Regulation Number 53 of 2017 on National Cyber and Crypto Agency as amended by Presidential Regulation Number 133 of 2017 on Amendment to Presidential Regulation Number 53 of 2017 on National Cyber and Crypto Agency is deemed inappropriate with the dynamics and needs of organization;
 - d. that based on the considerations as referred to in point a, point b, and point c, it is necessary to issue a Presidential Regulation on National Cyber and Crypto Agency;

- Observing :
1. Article 4 section (1) of the 1945 Constitution of the Republic of Indonesia;
 2. Law Number 36 of 1999 on Telecommunication (State

Gazette of the Republic of Indonesia of 1999 Number 154, Supplement to the State Gazette of the Republic of Indonesia Number 3881);

3. Law Number 11 of 2008 on Electronic Information and Transaction (State Gazette of the Republic of Indonesia of 2008 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 4843) as amended by Law Number 19 of 2016 on Amendment to Law Number 11 of 2008 on Electronic Information and Transaction (State Gazette of the Republic of Indonesia of 2016 Number 251, Supplement to the State Gazette of the Republic of Indonesia Number 5952);

HAS DECIDED:

To issue: PRESIDENTIAL REGULATION ON NATIONAL CYBER AND CRYPTO AGENCY.

CHAPTER I STATUS, DUTIES, AND FUNCTIONS

Article 1

- (1) National Cyber and Crypto Agency (Badan Siber dan Sandi Negara) hereinafter referred to as BSSN is a government institution that is under and responsible to the President.
- (2) BSSN is led by a Head.

Article 2

BSSN has a duty to perform the governmental duty in the field of cybersecurity and cryptography to assist President in administering the government.

Article 3

In performing the duty as referred to in Article 2, BSSN performs the following functions of:

- a. formulation and determination of technical policies in the field of cybersecurity and cryptography;
- b. implementation of technical policies in the field of cybersecurity and cryptography;

- c. formulation of norms, standards, procedures, and criteria in the field of cryptography;
- d. implementation of technical guidance and supervision in the field of cryptography;
- e. coordination for the performance of duty, fostering, and administration support to all organization units in the BSSN;
- f. management of state-owned assets under the responsibility of the BSSN;
- g. implementation of substantive support to all organizational elements within the BSSN; and
- h. supervision over the duty performance within the BSSN.

CHAPTER II ORGANIZATION

Part One Organizational Structure

Article 4

BSSN consists of:

- a. Head;
- b. Deputy Head;
- c. Principal Secretariat;
- d. Deputy of Strategy and Policy of Cybersecurity and Cryptography;
- e. Deputy of Operations of Cybersecurity and Cryptography;
- f. Deputy of Cybersecurity and Cryptography for Government and Human Development; and
- g. Deputy of Cybersecurity and Cryptography for Economy.

Part Two

Head

Article 5

The Head has the duty to lead and take responsibility on the performance of duty and functions of BSSN.

Part Three
Deputy Head

Article 6

- (1) The Deputy Head is under and responsible to the Head.
- (2) The Deputy Head has the duty to assist the Head to lead the performance of duty and functions of BSSN.
- (3) The description of duty of the Deputy Head is determined by the Head.

Part Four
Principal Secretariat

Article 7

- (1) The Principal Secretariat is under and responsible to the Head.
- (2) The Principal Secretariat is led by a Principal Secretary.

Article 8

The Principal Secretariat has duties to carry out coordination of duty performance, fostering, and provision of administrative support to all organizational elements within the BSSN.

Article 9

In performing the duties as referred to in Article 8, the Principal Secretariat performs the functions of:

- a. coordination of activities within the BSSN;
- b. coordination and preparation of plans, program, and budget of the BSSN;
- c. fostering and provision of administrative support which includes administration, personnel, cooperation, public relations, archives, and documentations within the BSSN;
- d. fostering and structuring of the organization and governance;
- e. coordination and preparation of legislation as well as legal advocacy;
- f. management of state-owned assets/state assets and

- procurement goods/services; and
- g. conducting any other functions as required by the Head.

Part Five

Deputy of Strategy and Policy of Cybersecurity and Cryptography

Article 10

- (1) Deputy of Strategy and Policy of Cybersecurity and Cryptography hereinafter referred to as Deputy I, is under and responsible to the Head.
- (2) Deputy I is led by a Deputy.

Article 11

Deputy I has a duty to formulate the technical policy in the field of system and strategy of cybersecurity and cryptography.

Article 12

In performing the duty as referred to in Article 11, Deputy I performs the functions of:

- a. coordination and formulation of technical policy in the field of system and strategy of cybersecurity and cryptography.
- b. coordination and formulation of cyber security and cryptography standard;
- c. implementation of monitoring, evaluation, and reporting in the field of system and strategy of cybersecurity and cryptography; and
- d. conducting any other functions as required by the Head.

Part Six

Deputy of Operations of Cybersecurity and Cryptography

Article 13

- (1) Deputy of Operations of Cybersecurity and Cryptography hereinafter referred to as Deputy II, is under and responsible to the Head.
- (2) Deputy II is led by a Deputy.

Article 14

Deputy II has a duty to formulate and implement a technical policy in the field of cybersecurity and cryptography operations.

Article 15

In performing the duty as referred to in Article 14, Deputy II performs the functions of:

- a. formulation of technical policy in the field of identification, detection, protection, response, recovery, and monitoring of incidents of national cybersecurity and cryptography, as well as national cyber crisis management;
- b. coordination and implementation of technical policy in the field of identification, detection, protection, response, recovery, and monitoring of incident of national cybersecurity and cryptography, as well as national cyber crisis management;
- c. implementation of monitoring, evaluation, and reporting in the field of identification, detection, protection, response, recovery, and monitoring of incident of national cybersecurity and cryptography, as well as national cyber crisis management;
- d. conducting any other functions as required by the Head.

Part Seven

Deputy of Cybersecurity and Cryptography for Government and Human Development

Article 16

- (1) Deputy of Cybersecurity and Cryptography for Government and Human Development hereinafter referred to as Deputy III, is under and responsible to the Head.
- (2) Deputy III is led by a Deputy.

Article 17

Deputy III has a duty to formulate and implement a technical policy in the field of increasing the cybersecurity and cryptography capacity on government and human development sector.

Article 18

In performing the duty as referred to in Article 17, Deputy III performs the functions of:

- a. formulation of technical policy in the field of governance, risk management, ecosystem development, and maturity level measurement of cybersecurity and cryptography on government and human development sector;
- b. implementation of technical policy in the field of governance, risk management, ecosystem development, and maturity level measurement of cybersecurity and cryptography in the government and human development sector;
- c. preparation of norms, standards, procedures, and criteria in the field of cryptography;
- d. provision of technical guidance and supervision in the field of cryptography;
- e. implementation of monitoring, evaluation, and reporting in the field of governance, risk management, ecosystem development, and maturity level measurement of cybersecurity and cryptography on government and human development sector; and
- f. conducting any other functions as required by the Head.

Part Eight

Deputy of Cybersecurity and Cryptography for Economy

Article 19

- (1) Deputy of Cybersecurity and Cryptography for Economy hereinafter referred to as Deputy IV, is under and responsible to the Head.
- (2) Deputy IV is led by a Deputy.

Article 20

Deputy IV has a duty to formulate and implement the technical policy in the field of increasing the cybersecurity and cryptography capacity in the economic sector.

Article 21

In performing the duty as referred to in Article 20, Deputy IV performs the functions of:

- a. formulation of technical guidance in the field of governance, risk management, ecosystem development, and maturity level measurement of cybersecurity and cryptography in the economic sector;
- b. implementation of technical policy in the field of governance, risk management, ecosystem development, and maturity level measurement of cybersecurity and cryptography in the economic sector;
- c. implementation of monitoring, evaluation, and reporting in the field of governance, risk management, ecosystem development, and maturity level measurement of cybersecurity and cryptography in the economic sector; and
- d. conducting of any other functions as required by the Head.

Part Nine

Internal Audit Unit

Article 22

- (1) An Inspectorate is established within the BSSN as the internal audit unit.
- (2) The Inspectorate is under and responsible to the Head and administratively coordinated by the Principal Secretary.

Article 23

The Inspectorate has a duty to carry out internal audit within the BSSN.

Article 24

In performing the duty as referred to in Article 23, the Inspectorate performs the following functions of:

- a. formulation of the technical policy of internal audit;
- b. implementation of internal audit on the performance and finance through auditing, reviewing, evaluating, monitoring, and other auditing activities;

- c. implementation of audit for a particular purpose upon assignment by the Head;
- d. preparation of the audit reports;
- e. implementation of the administration of Inspectorate; and
- f. conducting any other functions as required by the Head.

Part Ten

Supporting Element

Article 25

- (1) Within the BSSN Centers can be established as supporting elements for the performance of BSSN duty and functions.
- (2) The Centers as referred to in section (1) are structured under and responsible to the Head through Principal Secretary.
- (3) A Center is led by a Head of Center.

Part Eleven

Size of Organization

Article 26

- (1) The Principal Secretariat consists of a maximum of 4 (four) Bureaus.
- (2) The Bureau as referred to in section (1) consists of groups of functional positions.
- (3) In the event that the duty and function of the bureau is unable to be carried out by the groups of functional positions as referred to in section (2), a maximum of 4 (four) Divisions can be formed.
- (4) The Division as referred to in section (3) consists of groups of functional positions and/or a maximum of 3 (three) Subdivisions.
- (5) Exemption from the provisions as referred to in section (4), the Division handling the Leadership administration function consists of groups of functional positions and/or a number of Subdivisions as needed.

Article 27

- (1) A Deputy consists of a maximum of 4 (four) Directorates.
- (2) The Directorate as referred to in section (1) consists of groups of functional positions.
- (3) In the event that the duty and function of the Directorate is unable to be carried out by groups of functional positions as referred to in section (2), a maximum of 3 (three) Sub-Directorates can be formed.
- (4) The Sub-Directorate as referred to in section (3) consists of groups of functional positions and/or a maximum of 3 (three) Sections.

Article 28

- (1) The Inspectorate consists of groups of functional positions.
- (2) In performing administration function, the Inspectorate as referred to in section (1) is assisted by groups of functional positions and/or Subdivision handling administrative functions.

Article 29

- (1) A Center consists of groups of functional positions.
- (2) In the event that the duty and function of the Center is unable to be carried out by groups of functional positions as referred to in section (1), a maximum of 3 (three) Technical Divisions can be formed.
- (3) The Technical Divisions as referred to in section (2) consist of groups of functional positions and/or a maximum of 2 (two) Sub-technical-divisions.
- (4) In performing the administrative function, the Center as referred to in section (1) is assisted by groups of functional positions and/or Subdivision handling the administrative functions.
- (5) In implementing its administrative functions, the Center whose location is separated from the head office is assisted by groups of functional positions and/or may form a Division handling administrative functions.
- (6) Division as referred to in section (5) consists of groups

functional positions and/or a maximum of 2 (two) Subdivisions.

Part Twelve
Technical Implementing Unit

Article 30

- (1) To carry out operational technical and/or supporting technical duties within the BSSN, a Technical Implementing Unit can be established.
- (2) A Technical Implementing Unit is led by a Head of Technical Implementing Unit.

Article 31

The establishment of the Technical Implementing Unit as referred to in Article 30 section (1) is stipulated by the Head upon a written approval from the minister administering government affairs in the field of state apparatus.

Part Thirteen
Groups of Functional Positions

Article 32

Within the BSSN, groups of functional positions are determined in accordance with the necessities for which the implementation is carried out in accordance with the provisions of the legislation.

CHAPTER III
WORK PROCEDURES

Article 33

In performing its duty and functions, BSSN utilizes, develops, and consolidates all elements related to cybersecurity and cryptography.

Article 34

The Head in performing his/her duties and functions must implement system of government institution performance accountability.

Article 35

- (1) BSSN must develop a business process map describing effective and efficient work relations among organizational units within the BSSN.
- (2) The business process among organizational units within the BSSN as referred to in section (1) is set out by a Regulation of BSSN.

Article 36

The Head of the BSSN reports to the President on the results of the performance of governmental duty in the field of cybersecurity and cryptography periodically or at any time as required.

Article 37

BSSN must prepare an analysis of position, position maps, workload analysis, and job description of all positions within the BSSN.

Article 38

Every element of the BSSN must apply the principles of coordination, integration and synchronization in performing its duty and functions, either within the BSSN or in inter-institution with the other related institutions.

Article 39

Every element of the BSSN must implement the government internal control system within its respective unit accordance with the provisions of the legislation.

Article 40

- (1) Every leadership of the organizational unit is responsible for directing and coordinating subordinates and providing direction and guidance on the performance of subordinates' duties according to the description of the duty that has been determined.
- (2) The direction and guidance as referred to in section (1) must be followed and obeyed by subordinates responsibly as well as periodically reported in accordance with the provisions of the legislation.

Article 41

In carrying out his/her duties, every leadership of the organizational unit must foster and supervise his/her organizational unit.

CHAPTER IV

POSITION, ASSIGNMENT, AND DISMISSAL

Article 42

- (1) Deputy Head, Principal Secretary, and Deputy are *Madya* High-Ranking or structural positions of echelon I.a.
- (2) Head of Bureau, Director, Head of Center, and Inspector are *Pratama* High-Ranking Positions or structural positions of echelon II.a.
- (3) Head of Division, Head of Technical Division, and Head of Sub-Directorate are Administrator positions or structural positions of echelon III.a.
- (4) Head of Subdivision, Head of Sub-technical-division, and Head of Section are Supervisory Positions or structural positions of echelon IV.a.

Article 43

The Head is assigned and dismissed by the President.

Article 44

- (1) Deputy Head, Principal Secretary, Deputy, and *Ahli Utama* functional positions are assigned and dismissed by the President upon the recommendation of the Head in accordance with the provisions of the legislation.
- (2) *Pratama* High-Ranking Positions, Administrator Positions, Supervisory Positions, and *Madya* High-Ranking Positions and below are assigned and dismissed by the Head in accordance with the provisions of the legislation.

Article 45

- (1) The positions of *Madya* High-Ranking Positions and *Pratama* High-Ranking Positions as referred to in Article 42 are occupied by State Civil Apparatus, Soldiers of Indonesian National Defense Forces, or Members of Indonesian National Police in accordance with the needed competency.
- (2) Assignment and dismissal of Soldiers of Indonesian National Defense Forces and Members of Indonesian National Police in positions of State Civil Apparatus are carried out in accordance with the provisions of the legislation.

Article 46

The Head is given financial entitlements and facilities of a ministerial level.

CHAPTER V

FUNDING

Article 47

All necessary funding for the performance of duty and functions of the BSSN is borne by the State Budget.

CHAPTER VII
MISCELLANEOUS PROVISIONS

Article 48

Further provisions regarding the duty, functions, organizational structure and work procedure of the BSSN are stipulated the by the Head upon written approval by the minister administering government affairs in state apparatus.

CHAPTER VII
TRANSITIONAL PROVISIONS

Article 49

At the time this Presidential Regulation comes into force, all existing positions along with the officials holding the positions within the BSSN under Presidential Regulation Number 53 of 2017 on National Cyber and Crypto Agency (State Gazette of the Republic of Indonesia of 2017 Number 100) as amended by Presidential Regulation Number 133 of 2017 on Amendment to Presidential Regulation Number 53 of 2017 on National Cyber and Crypto Agency (State Gazette of the Republic of Indonesia of 2017 Number 277), remain to carry out their duty and functions until new positions are formed and new officials are assigned under this Presidential Regulation.

Article 50

At the time this Presidential Regulation comes into force, the implementing provisions of Presidential Regulation Number 53 of 2017 on National Cyber and Crypto Agency (State Gazette of the Republic of Indonesia of 2017 Number 100) as amended by Presidential Regulation Number 133 of 2017 on Amendment to Presidential Regulation Number 53 of 2017 on National Cyber and Crypto Agency (State Gazette of the Republic of Indonesia of 2017 Number 277), remain effective to the extent not contrary to and have not been amended and/or replaced by a new regulation based on this Presidential Regulation.

CHAPTER VIII
CLOSING PROVISIONS

Article 51

At the time this Presidential Regulation comes into force, Presidential Regulation Number 53 of 2017 on National Cyber and Crypto Agency (State Gazette of the Republic of Indonesia of 2017 Number 100) as amended by Presidential Regulation Number 133 of 2017 on Amendment to Presidential Regulation Number 53 of 2017 on National Cyber and Crypto Agency (State Gazette of the Republic of Indonesia of 2017 Number 277), are repealed and declared ineffective.

Article 52

The preparation of Organization and Work Procedures of the BSSN must be established not later than 6 (six) months after this Presidential Regulation is promulgated.

Article 53

This Presidential Regulation comes into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Presidential Regulation by its placement in the State Gazette of the Republic of Indonesia.

Issued in Jakarta
on 13 April 2021

PRESIDENT OF THE REPUBLIC OF
INDONESIA,

signed

JOKO WIDODO

Promulgated in Jakarta
on 14 April 2021

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

signed

YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2021 NUMBER 101

Jakarta, 22 December 2021

Has been translated as an Official Translation
on behalf of Minister of Law and Human Rights
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,

