

REGULATION OF THE MINISTER OF COMMUNICATIONS AND INFORMATICS
OF THE REPUBLIC OF INDONESIA
NUMBER 4 OF 2020
ON
USE OF RADIO FREQUENCY SPECTRUM ON 2.3 GHz RADIO FREQUENCY
BAND

BY THE BLESSINGS OF THE ALMIGHTY GOD

MINISTER OF COMMUNICATIONS AND INFORMATICS OF THE REPUBLIC OF
INDONESIA,

- Considering :
- a. that radio frequency spectrum is a limited resource that requires regulation to provide maximum benefit to Indonesian people;
 - b. that the use of radio frequency spectrum must consider the prevention of mutual interference, efficiency and economy, technology advancements, and the need for radio frequency spectrum in the future;
 - c. that Regulation of the Minister of Communications and Informatics Number 08/PER/M.KOMINFO/01/2009 on Stipulation of Radio Frequency Band for the Purpose of Wireless Broadband Services In 2.3 GHz Radio Frequency Band as amended by Regulation of the Minister of Communications and Informatics Number 28 of 2014 on Amendment to Regulation of the Minister of Communications and Informatics Number 08/PER/M.KOMINFO/01/2009 on Stipulation of Radio Frequency Band for the Purpose of Wireless Broadband Services in

2.3 GHz Radio Frequency Band is no longer relevant with technology advancement, therefore, it is necessary to make changes;

- d. that based on the considerations as referred to in point a, point b and point c, it is required to issue Regulation of the Minister of Communications and Informatics on the Use of Radio Frequency Spectrum on 2.3 GHz Radio Frequency Band;

- observing : 1. Article 17 section (3) 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. Government Regulation Number 52 of 2000 on Telecommunication Operations (State Gazette of the Republic of Indonesia of 2000 Number 107, Supplement to the State Gazette of the Republic of Indonesia Number 3980);
 - 4. Government Regulation Number 53 of 2000 on Use of Radio Frequency Spectrum and Satellite Orbit (State Gazette of the Republic of Indonesia of 2000 Number 108, Supplement to the State Gazette of the Republic of Indonesia Number 3981);
 - 5. Government Regulation Number 80 of 2015 on Types and Tariffs for Types of Non-Tax State Revenues Applicable in The Ministry of Communications and Informatics (State Gazette of the Republic of Indonesia of 2015 Number 246, Supplement to the State Gazette of the Republic of Indonesia Number 4974);
 - 6. Presidential Regulation Number 54 of 2015 on Ministry of Communications and Informatics (State Gazette of the Republic of Indonesia of 2015 Number 96);
 - 7. Regulation of the Minister of Communications and Informatics Number 19/PER.KOMINFO/10/2005 on Instructions for Implementing Tariffs on Non-Tax State

- Revenues on the Charges for the Right to Use Radio Frequency Spectrum as amended several times, last by Regulation of the Minister of Communications and Informatics Number 24/PER/M.KOMINFO/12/2010 on the Third Amendment on the Regulation of the Minister of Communications and Informatics Number 19/PER.KOMINFO/10/2005 on Instructions for Implementing Tariffs on Non-Tax State Revenues on the Charges for the Right To Use Radio Frequency Spectrum;
8. Regulation of the Minister of Communications and Informatics Number 6 of 2018 on Organization and Work Procedure of the Ministry of Communications and Informatics (State Bulletin of the Republic of Indonesia of 2018 Number 1019);
 9. Regulation of the Minister of Communications and Informatics Number 7 of 2018 on Online Single Submission for Communications and Informatics Sector (State Bulletin of the Republic of Indonesia of 2018 Number 1041), as amended by Regulation of the Minister of Communications and Informatics Number 7 of 2019 on the Amendment to the Regulation of the Minister of Communications and Informatics Number 7 of 2018 on Online Single Submission for Communications and Informatics Sector (State Bulletin of the Republic of Indonesia of 2019 Number 841);
 10. Regulation of the Minister of Communications and Informatics Number 9 of 2018 on Operational Provisions of the Use of Radio Frequency Spectrum (State Bulletin of the Republic of Indonesia of 2018 Number 1142);
 11. Regulation of the Minister of Communications and Informatics Number 13 of 2018 on Indonesian Spectrum Allocation Table (State Bulletin of the Republic of Indonesia of 2018 Number 1372);

HAS DECIDED:

To issue : REGULATION OF THE MINISTER OF COMMUNICATIONS AND INFORMATICS ON USE OF RADIO FREQUENCY SPECTRUM ON 2.3 GHz RADIO FREQUENCY BAND.

CHAPTER I GENERAL PROVISIONS

Article 1

In this Ministerial Regulation:

1. Telecommunication means any transmission, sending or reception of any kind of sign, image, sound and information in any form by means of a wire, optical, radio or other electromagnetic systems.
2. Radio Frequency Spectrum means a set of radio frequency band.
3. Radio Frequency Band means part of the Radio frequency spectrum with certain width.
4. 2.3 GHz Radio Frequency Band User means a telecommunication network provider acting as the holder of a Radio Frequency Band license at 2.3 GHz radio frequency band.
5. Time Division Duplexing, hereinafter abbreviated as TDD, means a type of telecommunication mode through radio frequency that the uplink and downlink are paired in time dimension, resulting the uplink and downlink using the same Radio Frequency Band.
6. Guard band means a Radio Frequency Band that functions as a separator to prevent harmful interference.
7. Minister means the Minister administering government affairs in the field of communication and Information Technology.
8. Director General means the Director General of Resources Management and Equipment of Posts and Informatics.

CHAPTER II USE OF 2.3 GHz RADIO FREQUENCY BAND

Article 2

- (1) 2.3 GHz Radio Frequency Band is a Radio Frequency Band with a radio frequency range of 2300 – 2400 MHz.

- (2) 2.3 GHz Radio Frequency Band as referred to in section (1) uses the TDD mode based on the following segmentation:
 - a. radio frequency range of 2300 – 2360 MHz for the purpose of cellular mobile network operation with a national service area coverage;
 - b. radio frequency range of 2360 – 2390 MHz for the purpose of:
 - 1. cellular mobile network operation; and
 - 2. wireless broadband service by local fixed network providers with packet switched based, for zone-based service area;
 - c. radio frequency range of 2390 – 2400 MHz is used as Guard band.
- (3) The use of 2.3 GHz Radio Frequency Band on radio frequency range of 2360 – 2390 MHz for the purpose of wireless broadband service by local fixed network providers with packet switched based as referred to in section (2) point b number 2 is valid in accordance with the specified validity period of Radio Frequency Band license.
- (4) If necessary, the Minister may stipulate other uses on 2.3 GHz Radio Frequency Band as referred to in section (2) point c.

Article 3

The 2.3 GHz Radio Frequency Band Users as referred to in Article 2 are free to choose technology in compliance with the International Mobile Telecommunications (IMT) standards.

CHAPTER III

COORDINATION FOR THE USE OF 2.3 GHz RADIO FREQUENCY BAND

Article 4

- (1) The 2.3 GHz Radio Frequency Band Users as referred to in Article 2 are obligated to:
 - a. comply with the technical requirements of the Telecommunication devices and/or equipments in accordance with the provisions legislation; and

- b. conduct technical coordination with other 2.3 GHz Radio Frequency Band Users in order to mitigate harmful interference.
- (2) Technical coordination as referred to in section (1) point b is implemented through synchronization of TDD mode transmission parameters and/or other forms.
- (3) The results of technical coordination as referred to in section (1) point b is required to be reported to The Director General.
- (4) Further provisions regarding technical coordination and reporting procedures as referred to in section (2) and section (3) are stipulated by The Director General.

Article 5

- (1) The use of 2.3 GHz Radio Frequency Band in areas bordering neighboring countries or its service coverage can reach other countries is required to be coordinated with the Telecommunications providers of other concerned countries.
- (2) Coordination of the use of 2.3 GHz Radio Frequency Band as referred to in section (1) is performed by The Director General together with 2.3 GHz Radio Frequency Band Users.
- (3) The result of coordination as referred to in section (2) is binding and is required to be complied with by the 2.3 GHz Radio Frequency Band Users.

CHAPTER IV

REFARMING OF 2.3 GHz RADIO FREQUENCY BAND

Article 6

In the event that a non-contiguous Radio Frequency Band license is stipulated on the 2.3 GHz Radio Frequency Band, refarming of 2.3 GHz Radio Frequency Band is mandatory.

Article 7

- (1) Refarming of 2.3 GHz Radio Frequency Band as referred to in Article 6 is performed by 2.3 GHz Radio Frequency Band Users under the following provisions:
 - a. is performed within a maximum period of 1 (one) year as of the date of commencement of refarming of 2.3 GHz Radio Frequency Band as stipulated by The Director General;
 - b. does not change the validity period of 2.3 GHz Radio Frequency Band license;
 - c. does not change the bandwidth of 2.3 GHz Radio Frequency Band that has been stipulated in the 2.3 GHz Radio Frequency Band license; and
 - d. all costs incurred in the implementation of refarming of 2.3 GHz Radio Frequency Band are borne by the respective 2.3 GHz Radio Frequency Band Users.
- (2) Further provisions related with the technical instructions for the refarming of 2.3 GHz Radio Frequency Band is stipulated by the Director General.

CHAPTER V

LICENSE TO USE RADIO FREQUENCY SPECTRUM AND CHARGES FOR THE RIGHT TO USE RADIO FREQUENCY SPECTRUM

Article 8

- (1) License to use Radio Frequency Spectrum on 2.3 GHz Radio Frequency Band with the radio frequency range as referred to in Article 2 section (2) point a and point b is granted in the form Radio Frequency Band License.
- (2) Holders of Radio Frequency Band License on 2.3 GHz Radio Frequency Band as referred to in section (1) are obligated to pay the charges for the right to use Radio frequency spectrum for Radio Frequency Band License in accordance with the provisions of legislation.

CHAPTER VI SUPERVISION AND CONTROL

Article 9

The Director General performs supervision and control on the implementation of this Ministerial Regulation.

CHAPTER VII CLOSING PROVISIONS

Article 10

At the time this Ministerial Regulation comes into force:

- a. Regulation of the Minister of Communications and Informatics Number 08/PER/M.KOMINFO/01/2009 on Stipulation of Radio Frequency Band for the Purpose of Wireless Broadband Services in 2.3 GHz Radio Frequency Band as amended by Regulation of the Minister of Communications and Informatics Number 28 of 2014 on Amendment to Regulation of the Minister of Communications and Informatics Number 08/PER/M.KOMINFO/01/2009 on Stipulation of Radio Frequency Band for the Purpose of Wireless Broadband Services In 2.3 GHz Radio Frequency Band (State Bulletin of the Republic of Indonesia of 2014 Number 1277);
- b. Regulation of the Minister of Communications and Informatics Number 19 of 2011 on Use of 2.3 GHz Radio Frequency Band for the Purpose of Wireless Broadband Service Based on Technology Neutrality (State Bulletin of the Republic of Indonesia of 2011 Number 695);
- c. Regulation of the Minister of Communications and Informatics Number 29 of 2012 on Procedure for Coordination on the Use of 2.3 GHz Radio Frequency Band for the Purpose of Wireless Broadband Service Based on Technology Neutrality (State Bulletin of the Republic of Indonesia of 2012 Number 1013); and
- d. The provisions on the 2.3 GHz Radio Frequency Band as governed in Regulation of the Minister of Communications

and Informatics Number 07/PER/M.KOMINFO/01/2009
on Arrangement of Radio Frequency Band for The Purpose
of Wireless Broadband Service,
are repealed and declared ineffective.

Article 11

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

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

Issued in Jakarta
on 17 September, 2020

MINISTER OF COMMUNICATIONS
AND INFORMATICS OF THE
REPUBLIC OF INDONESIA,

signed

JOHNNY G. PLATE

Promulgated in Jakarta
on 24 September, 2020

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

signed

WIDODO EKATJAHJANA

STATE BULLETIN OF THE REPUBLIC OF INDONESIA OF 2020 NUMBER 1085

Jakarta, 16 November 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,

