

REGULATION OF THE MINISTER OF COMMUNICATIONS AND INFORMATICS
OF THE REPUBLIC OF INDONESIA
NUMBER 7 OF 2021
ON

USE OF THE RADIO FREQUENCY SPECTRUM
BY THE BLESSINGS OF ALMIGHTY GOD

THE MINISTER OF COMMUNICATIONS AND INFORMATICS OF THE
REPUBLIC OF INDONESIA,

Considering : that in order to implement the provision of Article 502 of Government Regulation Number 5 of 2021 on the Providence of Risk-Based Business Licensing and Article 67 of Government Regulation Number 46 of 2021 on Post, Telecommunication, and Broadcasting, it is necessary to issue a Regulation of the Minister of Communications and Informatics on Use of the Radio Frequency Spectrum;

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. Law Number 32 of 2002 on Broadcasting (State Gazette of the Republic of Indonesia of 2002 Number 139, Supplement to the State Gazette of the Republic of Indonesia Number 4252);
4. Law Number 39 of 2008 on State Ministries (State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to the State Gazette of the Republic of Indonesia Number 4916);
5. Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia of 2020 Number 245, Supplement to the State Gazette of the Republic of Indonesia Number 6573);
6. 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);

7. Government Regulation Number 53 of 2000 on Use of the 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);
8. Government Regulation Number 5 of 2021 on Providence of Risk-Based Business Licensing (State Gazette of the Republic of Indonesia of 2021 Number 15, Supplement to the State Gazette of the Republic of Indonesia Number 6617);
9. Government Regulation Number 46 of 2021 on Post, Telecommunication, and Broadcasting (State Gazette of the Republic of Indonesia of 2021 Number 56, Supplement to the State Gazette of the Republic of Indonesia Number 6658);
10. Presidential Regulation Number 54 of 2015 on Ministry of Communications and Informatics (State Gazette of the Republic of Indonesia of 2015 Number 96);
11. 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 103);

HAS DECIDED:

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

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. Broadcasting means the activity of transmitting broadcasts through broadcasting facilities and/or transmission facilities on land, at sea or in space using Radio Frequency Spectrum through the air, cable, and/or other media to be received simultaneously and concurrently by the public using broadcast receiving devices.
3. Radio Frequency Spectrum means an electromagnetic wave with a frequency less than 3000 GHz that propagates in the air and/or space as a media for sending and/or receiving information for the purposes of, among others, Telecommunication operations, Broadcasting, aeronautical, maritime, meteorology, remote sensing, and astronomy.
4. Telecommunication Equipment means every equipment used in Telecommunication.
5. Telecommunication Device means a set of Telecommunication Equipment that enables us to perform Telecommunication.

6. Radio Station means one or more transmitting device(s) or receiving device(s) or a combination of Radio Transmitter and Radio Receiver devices, including equipment needed in one location to operate radio communication.
7. Radio Transmitter means a Telecommunication Equipment that uses and transmits radio waves.
8. Radio Receiver means Telecommunication Equipment and/or Telecommunication Device that uses and receives radio waves.
9. Radio Frequency Allocation means the inclusion of certain frequency bands in the frequency allocation table to be used by one or more terrestrial radio communication services or space radio communication services or radio astronomy services based on certain requirements. This allocation term also applies to further division of the above-stated frequency bands for each type of service.
10. Optimization on the Use of the Radio Frequency Spectrum, hereinafter referred to as Optimization, means an effort to enhance the benefit value of Radio Frequency Spectrum.
11. Radio Frequency Band means part of the Radio frequency spectrum with certain width.
12. Radio Frequency Channel means part of the Radio Frequency Band assigned to a Radio Station.
13. Bandwidth License (*Izin Pita Frekuensi Radio*), hereinafter abbreviated with IPFR, means radio station license for the use of Radio Frequency Spectrum in the form of Radio Frequency Bands based on specific requirements.
14. Apparatus License (*Izin Stasiun Radio*), hereinafter abbreviated as ISR means the license for the use of radio frequency spectrum in the form of radio frequency channel based on specific requirements.
15. Class License means the license for the Use of the Radio Frequency Spectrum attached to a Telecommunication Equipment and/or Telecommunication Device, which is qualified based on technical standards and used based on specific requirements.
16. Fee for the Use of the Radio Frequency Spectrum Right, hereinafter referred to as Spectrum Fee, means an obligation that must be paid by every Radio Frequency Spectrum user.
17. Spectrum Fee for Bandwidth License, hereinafter abbreviated as IPFR Spectrum Fee, means an obligation that must be paid by every IPFR holder.
18. Spectrum Fee for Apparatus License, hereinafter abbreviated as ISR Spectrum Fee, means an obligation that must be paid by every ISR holder.
19. Payment Notice (*Surat Pemberitahuan Pembayar*), hereinafter abbreviated as SPP, means a notice stating the amount of Spectrum Fee to the applicant of the Use of Radio Frequency Spectrum License.
20. International Telecommunication Union, hereinafter abbreviated as ITU, means an International Telecommunication Association under the United Nations.
21. Radio Frequency Spectrum Licensing Facility means a facility or media that enables the licensing process of Radio Frequency Spectrum.

22. Day means a workday determined by the Central Government.
23. Minister means the Minister administering government affairs in the field of communications and information technology.
24. Ministry means the Ministry administering government affairs in the field of communications and informatics.
25. Director General means the Director General of Resources Management and Equipment of Posts and Informatics.
26. Directorate General means the Directorate General of Resources Management and Equipment of Posts and Informatics.
27. Office means the office of the Directorate General or the office of the technical implementing unit of the Directorate General in the regions.

CHAPTER II
OPERATIONAL PROVISIONS OF THE USE OF THE RADIO
FREQUENCY SPECTRUM

Part One
General

Article 2

- (1) The Use of the Radio Frequency Spectrum is required first to obtain the use of the Radio Frequency Spectrum license from the Minister.
- (2) The Use of the Radio Frequency Spectrum is required to:
 - a. be carried out in accordance with the designation; and
 - b. not cause any harmful interference on other users of the Radio Frequency Spectrum in accordance with the provisions of legislation.
- (3) In accordance with the designation as referred to in section (2) point a , it is in accordance with:
 - a. the Radio Frequency Spectrum use planning; and
 - b. technical provisions of the use of the Radio Frequency Spectrum.
- (4) The Radio Frequency Spectrum use planning as referred to in section (3) point a is determined in the allocation table of the Indonesian Radio Frequency Spectrum in accordance with the provisions of legislation.
- (5) The technical provisions for the use of the Radio Frequency Spectrum as referred to in section (3) point b, which among others consist of limitation on:
 - a. transmitting power;
 - b. bandwidth; and/or
 - c. unwanted emission,for any types of the use of Radio Frequency Spectrum, are established in a Ministerial Regulation.
- (6) The harmful interference as referred to in section (2) point b is transmission and radiation that:
 - a. endanger the communication function of radio navigation or distress frequency; and/or
 - b. significantly reduce, interfere, or repeatedly interrupt the operation of Radio Frequency Spectrum of other Radio Frequency Spectrum licensees.

- (7) Other Radio Frequency Spectrum licensees as referred to in section (6) point b is the parties who receive protection in accordance with the provisions of legislation.

Part Two
Identification Signals, Radio Station Identity
and Radio Station Identification

Article 3

- (1) Every Radio Frequency Spectrum transmission used for:
- a. amateur service;
 - b. Broadcasting service;
 - c. land mobile service;
 - d. maritime service;
 - e. aeronautical service;
 - f. standard frequency and time signal service;
 - g. fixed service operating below the frequency of 28000 kHz;
 - h. citizen radio;
 - i. radio beacon; and
 - j. Emergency Position-Indicating Radio Beacons (EPIRBs) operating in the Radio Frequency Band 406 – 406.1 MHz and Radio Frequency Band 1645.5 – 1646.5 MHz as well as Emergency Position-Indicating Radio Beacons (EPIRBs) using digital selective calling techniques,
- is required to use an identification signal and/or Radio Station identity.
- (2) The identification signal and/or Radio Station identity as referred to in section (1) must be transmitted periodically.
- (3) The identification signal as referred to in section (2) is an identity that may be in the forms of:
- a. call sign;
 - b. name of station;
 - c. location of station;
 - d. operating agency;
 - e. official registration mark;
 - f. flight identification number;
 - g. maritime mobile service identification;
 - h. automated identification system, characteristic signal;
 - i. characteristic of emission; or
 - j. other internationally recognized features.
- (4) The use of identification signal and/or Radio Station identity is required to be in accordance with the provisions of legislation, and radio regulations established by ITU.
- (5) Every transmission of the Radio Frequency Spectrum is prohibited from using fake or misleading identification signal and/or Radio Station identity.
- (6) The Director General determines the call sign as referred to in section (3) point a based on the radio regulations established by ITU.

Article 4

- (1) Every Radio Station for:

- a. Broadcasting;
 - b. microwave link;
 - c. base station;
 - d. repeater station;
 - e. earth station;
 - f. amateur radio; and
 - g. citizen radio,
- must be able to be identified with an identity.
- (2) The identity for Radio Station as referred to in section (1) point a to point e at least contains the following information:
 - a. the name of Radio Frequency Spectrum licensee or client number; or
 - b. Radio Frequency Spectrum license number.
 - (3) The identity as referred to in section (2) is placed at the Radio Station on a visible and identifiable spot.

Part Three
Types of Radio Frequency Spectrum Licenses

Article 5

The Use of the Radio Frequency Spectrum Licenses as referred to in Article 2 section (1) comprises:

- a. IPFR;
- b. ISR; and
- c. Class License.

Article 6

- (1) The Use of the Radio Frequency Spectrum for:
 - a. maritime service or sailing;
 - b. amateur radio service; and
 - c. the operation of citizen band radio,is required to be operated by a competence or qualified radio operator based on certificate or license.
- (2) The certificate or license as referred to in section (1) comprise:
 - a. radio operator competence certificate or radio operator proficiency certificate for maritime or sailing service;
 - b. amateur radio license for amateur radio service; and
 - c. citizen band radio license for the operation of citizen band radio.
- (3) The certificate and license as referred to in section (2) are issued by the Director General.
- (4) The procedure and requirements for the issuance of certificate and license as referred to in section (2) are in accordance with the provisions of legislation.

Part Four
International Coordination with
and Registration of the Radio Frequency Spectrum to the
International Telecommunication Union

Article 7

- (1) International coordination on the use of the Radio Frequency Spectrum is performed in the event that the Radio Station:

- a. is located in border region;
 - b. has Radio Frequency Spectrum transmission that may reach other countries; and/or
 - c. potentially causes harmful interference.
- (2) The international coordination as referred to in section (1) is performed by the Director General.

Article 8

- (1) Application for registration of the use of the Radio Frequency Spectrum to ITU filed in the event that the Use of the Radio Frequency Spectrum:
- a. potentially causes harmful interference;
 - b. is located in border region;
 - c. is for international communication;
 - d. is included in the ITU Planning; and/or
 - e. is intended to gain international acknowledgement.
- (2) The registration as referred to in section (1) aims to gain international protection and acknowledgement.
- (3) The application for registration as referred to in section (1) is filed by the Director General.

Article 9

The flow of procedures for implementing international coordination as referred to in Article 7 and the application for registration of the use of the Radio Frequency Spectrum as referred to in Article 8 is determined by the Director General.

CHAPTER III BANDWIDTH LICENSE

Part One General

Article 10

- (1) The Use of the Radio Frequency Spectrum based on IPFR as referred to in Article 5 point a is determined by considering at least:
- a. the characteristic on the use of the Radio Frequency Band;
 - b. technology maturity;
 - c. economic value of the Radio Frequency Band; and
 - d. industrial condition on Telecommunication sector.
- (2) IPFR as referred to in section (1) is the right to operate the entire Radio Station in certain areas by using the stipulated range of the Radio Frequency Band.

Article 11

The right on the Use of the Radio Frequency Spectrum in the form of Radio Frequency Band is granted through the following mechanism:

- a. selection;
- b. ISR changes to IPFR;
- c. evaluation; and
- d. transfer of right on the Use of the Radio Frequency Spectrum.

Part Two
Selection for the Right on the Use of the Radio Frequency Band

Article 12

- (1) The selection mechanism as referred to in Article 11 point a is the selection of Radio Frequency Band users performed in the event that the number of availability of radio frequency bands is less than the number of demands and/or needs.
- (2) The Minister determines the number of availability of Radio Frequency Band as referred to in section (1) by considering at least:
 - a. Optimization;
 - b. development of technology; and
 - c. the potential for non-tax state revenues.
- (3) The Optimization as referred to in section (2) point a, includes but not limited to the identification of Radio Frequency Spectrum needs.
- (4) The selection mechanism as referred to in section (1) is in the forms of:
 - a. price tender; and/or
 - b. beauty contest.
- (5) In the selection as referred to in section (1), the Minister determines at least:
 - a. range of Radio Frequency bands that will be selected;
 - b. period of IPFR;
 - c. coverage area of IPFR;
 - d. selection mechanism as referred to in section (4);
 - e. assessment criteria for beauty contest as referred to in section (4) point b;
 - f. reserved price for price tender as referred to in section (4) point a;
 - g. the amount of Spectrum Fee for beauty contest as referred to in section (4) point b; and
 - h. selection team.
- (6) The reserved price as referred to in section (5) point f is the lowest price offer from the selection participants.
- (7) The reserved price as referred to in section (6) is decided by using the following methods:
 - a. Discounted Cash Flow (DCF);
 - b. Cost Reduction (CR);
 - c. benchmarking; and/or
 - d. other methods.
- (8) Further provisions on the procedures for selection as referred to in section (4) to section (7) are stipulated by the Minister.

Part Three
Changes of Apparatus License
into Bandwidth License

Article 13

- (1) The change of ISR into IPFR as referred to in Article 11 point b is applicable for the change of ISR into IPFR in the same Radio Frequency Band and service.

- (2) The change of ISR into IPFR as referred to in section (1) is performed by taking into consideration at least:
 - a. simplification of the Radio Frequency Spectrum licensing;
 - b. utility improvement on the use of the Radio Frequency Band;
 - c. economic value of the Radio Frequency Band; and
 - d. industrial environment in Telecommunication sector.

Part Four
Evaluation for the Right
on the Use of the Radio Frequency Band

Article 14

- (1) The evaluation mechanism as referred to in Article 11 point c is performed for the application of the use of the Radio Frequency Band for the purpose of:
 - a. State defence;
 - b. State security; or
 - c. extension of IPFR.
- (2) In addition for the purposes as referred to in section (1), the mechanism evaluation as referred to in Article 11 point c is also implemented to determine Radio Frequency Band users in the event that the number of availability of Radio Frequency Band is more than or equal to the number of demands and/or needs.
- (3) The evaluation mechanism as referred to in section (1) and section (2) is performed by considering among others:
 - a. planning for the use of the Radio Frequency Spectrum;
 - b. fulfillment of the needs of the national interests;
 - c. fulfillment of public interests;
 - d. Optimization; and/or
 - e. economic value of the Radio Frequency Band.
- (4) The Minister determines the number of availability of the Radio Frequency Band as referred to in section (2) by considering at least:
 - a. Optimization;
 - b. development of technology; and
 - c. the potential for non-tax state revenues.
- (5) The Optimization as referred to in section (4) point a, includes but not limited to identification of the Radio Frequency Spectrum needs.

Part Five
Transfer of Right on the Use
of the Radio Frequency Spectrum

Article 15

- (1) The telecommunication network operator holding the use of the Radio Frequency Spectrum license may transfer the right on the Use of the Radio Frequency Spectrum to other Telecommunication network operators.
- (2) The Radio Frequency Spectrum as referred to in section (1) is Radio Frequency Band of which usage right has been stipulated in the form of IPFR.

- (3) Transfer of right on the Use of the Radio Frequency Spectrum as referred to in section (1) is required to obtain approval from the Minister based on evaluation result.
- (4) Transfer of right on the Use of the Radio Frequency Spectrum is prohibited for temporary transfer.
- (5) Transfer of right on the Use of the Radio Frequency Spectrum as referred to in section (1) is performed based on the following principles:
 - a. healthy business competition;
 - b. non-discrimination; and
 - c. consumer protection.
- (6) Transfer of right on the Use of Radio Frequency Spectrum as referred to in section (1) is performed based on the following provisions:
 - a. applicable for all Radio Frequency Band or parts of Radio Frequency Band listed in the IPFR;
 - b. does not change the validity period of the transferred IPFR; and
 - c. obligations attached to the transferred Radio Frequency Band, including but not limited to the obligation to pay Spectrum Fee, is handed over to the responsibility of the receiver of transfer of right on the Use of the Radio Frequency Spectrum.
- (7) Transfer of right on the Use of Radio Frequency Spectrum for all Radio Frequency Band or parts of Radio Frequency Band as referred to in section (6) point a is performed for the entire IPFR areas.

Article 16

- (1) The transfer of right on the Use of the Radio Frequency Spectrum as referred to in Article 15 section (1) is carried out in the forms of:
 - a. the IPFR holder transfers the right on the use of the Radio Frequency Band to another Telecommunication network operator; or
 - b. 2 (two) or more IPFR holders transfer the rights on the use of the Radio Frequency Band according to the IPFR that has been stipulated for the respective IPFR holders.
- (2) Transfer of right on the use of the Radio Frequency Spectrum in the forms as referred to in section (1) point a is carried out with purpose to:
 - a. optimizes the benefits of the use of the Radio Frequency Spectrum; and/or
 - b. Improve the performance of Telecommunication sector.
- (3) Optimizing the benefits of the Use of the Radio Frequency Spectrum as referred to in section (2) point a consists of:
 - a. cost efficiency in the development of Telecommunications infrastructure that uses Radio Frequency Spectrum;
 - b. expanding the served coverage area of the Telecommunications services;
 - c. improving the quality of the Telecommunications services; and/or

- d. creating a more affordable price of Telecommunications services for the society.
- (4) Transfer of right on the Use of the Radio Frequency Spectrum in the form as referred to in section (1) point b is carried out with a purpose for:
 - a. Optimization, including but not limited to the expansion of the served coverage area and the improvement of the service quality; and/or
 - b. improvement in the performance of Telecommunications sector, including but not limited to the financial performance of the Telecommunication network operator that receive the transfer of right on the use of the Radio Frequency Spectrum;
 - c. cost efficiency in the development of Telecommunications infrastructure that uses Radio Frequency Spectrum;
 - d. presenting new Telecommunications services;
 - e. creating a more affordable price of Telecommunications services for the society; and/or
 - f. fulfillment of requirements on national interest.

Article 17

- (1) An application for the transfer of right on the use of the Radio Frequency Spectrum is submitted to the Minister.
- (2) An application for approval on the transfer of right on the use of the Radio Frequency Spectrum as referred to in section (1) is to be submitted by IPFR holder who is going to transfer the right on the Use of the Radio Frequency Spectrum and the Telecommunication network operator who will receive such a transfer of right on the use of the Radio Frequency Spectrum.
- (3) The IPFR holder and the Telecommunication network operator as referred to in section (2) must fulfill the following provisions:
 - a. has no payment obligation for non-tax state revenue owed to the Ministry;
 - b. has fulfilled the obligations for the development of Telecommunication network operation at least 50% (fifty percent) of the entire 5 (five)-year development obligation as of the first time the telecommunications operation permit is stipulated; and/or
 - c. other provisions as stipulated by the Minister by considering public interests and/or Optimization.
- (4) In stipulating other provisions as referred to in section (3) point c, the Minister may coordinate with relevant ministers/institution leaders.
- (5) An application for approval on the transfer of right on the Use of the Radio Frequency Spectrum as referred to in section (1) is to be submitted by attaching the plan of the transfer of right on the use of Radio Frequency Spectrum, which at least contain the following:
 - a. party who will transfer and the party who will receive the transfer of right on the use of the Radio Frequency Spectrum;

- b. backgrounds of the transfer of right on the Use of the Radio Frequency Spectrum;
 - c. data on the condition of Telecommunication network from the parties involved in the transfer of right on the use of Radio Frequency Spectrum;
 - d. data on telecommunication network projections from the parties after the execution of the transfer of right on the Use of the Radio Frequency Spectrum;
 - e. business plan after the execution of the transfer of right on the Use of the Radio Frequency Spectrum;
 - f. analysis of the applicant that the transfer of right on the Use of the Radio Frequency Spectrum can support the purpose achievement of the transfer of right on the use of the Radio Frequency Spectrum as referred to in Article 16 section (2) and/or section (4);
 - g. arrangement plans for potentially affected customers after the transfer of right on the use of the Radio Frequency Spectrum; and
 - h. a duly stamped statement related to the correctness of the provided data.
- (6) In evaluating the application of the transfer of right on the use of the Radio Frequency Spectrum as referred to in section (1), the Minister may coordinate with relevant ministers/institution leaders.
- (7) Evaluation of the application for the transfer of right on the Use of the Radio Frequency Spectrum is performed not later than 180 (one hundred and eighty) Days as of the application letter of the transfer of right on the Use of the Radio Frequency Spectrum is received completely.
- (8) The evaluation as referred to in section (7) considers the principles and objectives of the transfer of right on the Use of the Radio Frequency Spectrum.
- (9) Based on the evaluation result as referred to in section (8), the Minister may:
- a. entirely approve;
 - b. partly approve; or
 - c. reject,
- the plan of transfer of right on the use of the Radio Frequency Spectrum that has been submitted as referred to in section (5).
- (10) In the event that the application for the transfer of right on the Use of the Radio Frequency Spectrum is approved, the Minister stipulates:
- a. decision on the revocation of Radio Frequency Band to the holder of the use of Radio Frequency Spectrum License; and
 - b. decision on the stipulation of Radio Frequency Band to the receiver of transfer of right on the use of Radio Frequency Spectrum.
- (11) Based on the approval of the plan of transfer of right on the use of the Radio Frequency Spectrum as referred to in section (9) point a and point b, the Minister stipulates additional obligations as follow:
- a. fulfillment of consumer protection in accordance with the provisions of legislation for the Telecommunication

- operators who transfer their rights on the use of Radio Frequency Spectrum; and
- b. payment of Spectrum Fee, the Use of the Radio Frequency Spectrum, and the Telecommunication network operation in accordance with the provisions of legislation for the Telecommunication network operators who receive the transfer of right on the Use of the Radio Frequency Spectrum.
- (12) In the event that 2 (two) or more legal entities acting as IPFR holders perform incorporation or merger of legal entities, evaluation on the application of the transfer of right on the Use of the Radio Frequency Spectrum consider the principles of the transfer of right on the Use of the Radio Frequency Spectrum as referred to in Article 15 section (5) and the objective of the transfer of right on the Use of the Radio Frequency Spectrum as referred to in Article 16 section (2).

Part Six
Bandwidth License Application

Article 18

- (1) The IPFR as referred to in Article 5 point a can be granted to:
 - a. business actors; and
 - b. government institutions.
- (2) The business actors as referred to in section (1) point a are legal entities that have obtained:
 - a. winner stipulation on the selection of the right on the use of the Radio Frequency Spectrum in the form of Radio Frequency Band for business actors determined based on the selection;
 - b. entitlement stipulation on right on the use of the Radio Frequency Spectrum in the form of Radio Frequency Band for business actors determined through the change of ISR to IPFR;
 - c. entitlement stipulation on the right on the use of the Radio Frequency Spectrum in the form of Radio Frequency Band for business actors determined based on evaluation;
 - d. entitlement stipulation on the right on the use of Radio Frequency Spectrum in the form of Radio Frequency Band for business actors which IPFR extension has been approved; or
 - e. entitlement stipulation on the right on the use of the Radio Frequency Spectrum in the form of Radio Frequency Band for business actors approved as receiver of Transfer of right on the Use of the Radio Frequency Spectrum.
- (3) The IPFR as referred to in section (1) issued by the Minister.

Article 19

- (1) Applications for IPFR by business actors as referred to in Article 18 section (2) are submitted through Online Single Submission/OSS system.

- (2) Further provisions on licensing through Online Single Submission/OSS system are in accordance with the provisions of legislation.

Part Seven
Validity period of Bandwidth License.

Article 20

- (1) The IPFR as referred to in Article 5 point a is applicable for a maximum period of 10 (ten) years.
- (2) The IPFR as referred to in section (1) can be extended once for a maximum period of 10 (ten) years based on evaluation result.
- (3) The Minister sets forth the period of IPFR as referred to in section (1) and section (2) by considering:
 - a. planning on the use of the Radio Frequency Spectrum in the future;
 - b. equalization of validity period of IPFR and/or due date of IPFR Spectrum Fee payment; and/or
 - c. as a result of the transfer of rights on the use of the Radio Frequency Spectrum.

Article 21

- (1) In the event that the IPFR holder whose extension period has expired as referred to in Article 20 section (2), intends to use the Radio Frequency Spectrum for the next validity period, the holder may apply for a new IPFR.
- (2) The Minister evaluates the new IPFR application as referred to in section (1).
- (3) The IPFR Holders as referred to in section (1) may be prioritized for the new IPFR applications by taking into account:
 - a. planning on the use of the Radio Frequency Spectrum;
 - b. fulfilment of obligations for the use of the Radio Frequency Spectrum; and
 - c. fulfilment of obligations of Telecommunication operation.
- (4) The Minister stipulates additional obligations for the use of the Radio Frequency Spectrum to IPFR holder candidates as referred to in section (1), which are required to be fulfilled within the validity period of IPFR.
- (5) In the event that the IPFR holder as referred to in section (1) fails to fulfill the additional obligations on the use of the Radio Frequency Spectrum stipulated by the Minister as referred to in section (4), the new application for IPFR as referred to in section (1) is rejected.

Part Eight
Obligations of Bandwidth License Holders

Article 22

- (1) IPFR holders are obligated to fulfil the following provisions:
 - a. using certified Telecommunication Equipment and/or Telecommunication Device in accordance with the provisions of legislation;

- b. fulfilling the required obligations in the selection documents, for IPFR winners appointed as selection winners;
 - c. submitting a periodic report on the use of the Radio Frequency Band;
 - d. fully paying the IPFR Spectrum Fee;
 - e. using Radio Frequency Band in accordance with its designation as referred to in Article 2 section (3);
 - f. using the Radio Frequency Spectrum that does not cause harmful interference as referred to in Article 2 section (6);
 - g. obtaining approval from the Minister prior to performing cooperation on the use of the Radio Frequency Spectrum;
 - h. obtaining approval from the Minister prior to performing Transfer of right on the Use of the Radio Frequency Spectrum; and
 - i. using the Radio Frequency Spectrum optimally.
- (2) The obligations required in the selection document as referred to in section (1) point b, consist of:
- a. submission of an annual IPFR payment commitment (spectrum surety bond) in the form of bank guarantee according to the stipulated time limit;
 - b. obligation on the utilization of the Radio Frequency Band;
 - c. provisions on the use of Radio Frequency Band, among others refarming and technical coordination; and/or
 - d. other obligations as specified in the selection document.

Part Nine

Termination of Bandwidth License

Article 23

- (1) The IPFR as referred to in Article 5 point a may be terminated before the end of the validity period as referred to in Article 20.
- (2) The termination of IPFR as referred to in section (1) is carried out based on:
 - a. request for IPFR termination by IPFR holder; or
 - b. revocation of IPFR.
- (3) The termination of IPFR as referred to in section (2) does not eliminate the obligation to settle the owed IPFR Spectrum Fee.

Article 24

- (1) Request for termination of IPFR as referred to in Article 23 section (2) point a is performed for:
 - a. all Radio Frequency Bands in the entire service area listed in IPFR; or
 - b. part of Radio Frequency Bands in the entire service area listed in IPFR.
- (2) The request for termination of IPFR as referred to in section (1) is submitted in writing by the IPFR holder to the Minister by copy to the Director General by attaching the IPFR to be terminated.

- (3) The request for termination of IPFR as referred to in section (2) is received by the Minister not later than the due date for payment of the annual IPFR Spectrum Fee of the following year.
- (4) In the event that the request for termination of IPFR is received after the due date as referred to in section (3), the request for termination of IPFR can be approved and the IPFR holder is still obligated to pay the IPFR Spectrum Fee for the following year.

Article 25

- (1) In the event that the application for termination of IPFR as referred to in Article 24 section (2) is approved, the Minister issues a decree regarding the termination of IPFR.
- (2) If the application for termination of IPFR as referred to in section (1) has not been decided until the expiration of the IPFR term or the due date of the annual IPFR Spectrum Fee payment of the following year, the request for termination of IPFR is deemed to have been approved.
- (3) Information on the amount of the annual IPFR Spectrum Fee for the following year for the application for termination of IPFR that has been approved and complies with the provisions as referred to in Article 24 section (3) is deemed null and void.

Article 26

IPFR holders whose applications for termination of IPFR are approved as referred to in Article 25 can still use the Radio Frequency Band until the deadline of the annual IPFR Spectrum Fee payment the following year.

Article 27

The revocation of IPFR as referred to in Article 23 section (2) point b is carried out due to:

- a. there is a higher stake of public interest;
- b. national change on the planning of the use of the Radio Frequency Spectrum;
- c. non-optimize use of the Radio Frequency Spectrum;
- d. telecommunication network operation license has been revoked; and/or
- e. violating the provisions of legislation, namely:
 1. fail to make payment for IPFR Spectrum Fee until the specified period;
 2. cooperate in the use of the Radio Frequency Spectrum without the approval of the Minister; and/or
 3. transfer the rights on the use of the Radio Frequency Spectrum without the approval of the Minister.

Part Ten

Data Change on Bandwidth License

Article 28

- (1) IPFR holder may make an administration data change in IPFR.

- (2) The administration data change in IPFR as referred to in section (1) consists of data change on:
 - a. name of IPFR holder as a result of the change of legal entity name; and/or
 - b. address of IPFR holder.
- (3) The administration data change in IPFR as referred to in section (2) is required to be reported to the Minister.
- (4) The administration data change as referred to in section (2) point a, does not include change due to:
 - a. transfer of right on the use of the Radio Frequency Band;
 - b. merger of legal entities;
 - c. incorporation of legal entities; and/or
 - d. separation of legal entities.
- (5) The administration data change as referred to in section (1) does not change the period of IPFR.

Article 29

- (1) The Report on administration data change as referred to in Article 28 section (3) is submitted in writing to the Minister by attaching at least:
 - a. copy of IPFR;
 - b. copy of Telecommunication network operation license that has been adjusted with the new name of IPFR holder; and
 - c. approval or proof of report on administration data change from the Minister administering government affairs in the field of legal.
- (2) The Directorate General issues the IPFR adjustment not later than 7 (seven) Days as of the requirements have been completely and correctly received.

Article 30

In the event that due to the intention or negligence of the IPFR holder who fails to report the administrative data change of the IPFR holder's address as referred to in Article 28 section (2) point b, causing the notification letter fails to arrive, which results in legal consequences for IPFR, the IPFR holder cannot make an excuse that it does not receive the notification as a basis for not performing the obligations or decisions specified in the notification letter.

Part Eleven

Reporting Obligation on the Use of the Radio Frequency Band

Article 31

- (1) Reporting Obligation on the Use of the Radio Frequency Band as referred to in Article 22 section (1) point c is submitted annually.
- (2) The report as referred to in section (1) is received by the Director General not later than 30 April of each year.
- (3) In the event that there are certain considerations, the Director General may request a report on the use of the Radio Frequency Band after the period as referred to in section (2).

- (4) The report on the use of the Radio Frequency Band as referred to in section (2) can be submitted through a private interface at the Radio Frequency Spectrum Licensing Service Facility of the Directorate General.
- (5) The report on the use of the Radio Frequency Band as referred to in section (4) at least includes:
 - a. base station or equivalent device data;
 - b. number and distribution of traffic per service, per technology, and per radio frequency;
 - c. the use of technology;
 - d. number, distribution, and type of user devices per technology;
 - e. financial report; and
 - f. financial performance in the form of revenue, capital expenditure, and operational expenditure.
- (6) The base station or equivalent device data as referred to in section (5) point a include at least:
 - a. number and distribution;
 - b. site address;
 - c. site coordinate;
 - d. site name;
 - e. tower height;
 - f. antenna height;
 - g. radio frequency;
 - h. bandwidth;
 - i. brand and type of the devices; and
 - j. type of technology.
- (7) For certain cases, the Director General may request base station or equivalent device data other than the data as referred to in section (6).

CHAPTER IV APPARATUS LICENSE

Part One General

Article 32

- (1) The ISR as referred to in Article 5 point b issued to operate transmitting and/or receiving device on certain Radio Frequency Channel.
- (2) The ISR as referred to in section (1) is determined based on the results of technical analysis by taking into account:
 - a. planning on the use of the Radio Frequency Band (band plan);
 - b. planning on the use of the Radio Frequency Channel (channelling plan);
 - c. efficiency in the Use of the Radio Frequency Spectrum; and
 - d. availability of the Radio Frequency Channel.
- (3) Exempted from the provisions as referred to in section (2), the decision on the Radio Frequency Channel for Broadcasting service is determined based on the results of technical analysis by taking into account the availability of the Radio Frequency Channels in accordance with the

Radio Frequency Spectrum master plan for Broadcasting purposes and/or Broadcasting business opportunities in accordance with the provisions of legislation.

- (4) The technical analysis as referred to in section (2) and section (3) constitutes a technical parameter calculation, among others:
 - a. transmitting power;
 - b. bandwidth of the Radio Frequency Spectrum;
 - c. type of the Radio Frequency Spectrum;
 - d. coverage area;
 - e. transmission direction;
 - f. gain antenna; and/or
 - g. geographical position.
- (5) The ISR as referred to in section (1) is issued by the Director General.

Part Two
The Use of Apparatus License

Article 33

The ISR as referred to in Article 32 section (1) is used for:

- a. fixed service;
- b. land mobile service;
- c. Broadcasting service;
- d. maritime service;
- e. aeronautical service;
- f. satellite service; or
- g. other radio communication service as regulated in the radio regulation set forth by ITU.

Paragraph 1
Apparatus License for Fixed Service

Article 34

ISR for fixed service as referred to in Article 33 point a is used for radio communication among fixed Radio Stations, which at least consist of:

- a. microwave link;
- b. studio-to-transmitter link (STL);
- c. broadband wireless access (BWA) on certain Radio Frequency Band; and
- d. high frequency (HF) radio communication system operating below 28000 kHz frequency.

Article 35

- (1) The ISR for the microwave link fixed service as referred to in Article 34 point a is prioritized for the Telecommunication network operation.
- (2) Exempted from the provision as referred to in section (1), the ISR for the microwave link fixed service may be granted to the special Telecommunication operators for the purposes of:
 - a. government institutions; or
 - b. legal entities.
- (3) In the event that an ISR application for a point-to-point microwave link fixed service where one radio station is

located on the territory of another country, such ISR must have microwave link landing rights.

- (4) Further provisions regarding microwave link landing rights are regulated by a Ministerial Regulation.

Article 36

The ISR for fixed service studio-to-transmitter link (STL) as referred to in Article 34 point b is only granted for Broadcasting operation license holders.

Article 37

The ISR for fixed service broadband wireless access (BWA) in certain Radio Frequency Band as referred to in Article 34 point c is granted only for packet switched based local fixed network operator/operator of packet-switched-based local fixed network/local fixed network based on packet switched operator.

Article 38

The ISR for fixed service high frequency (HF) radio communication system operating below the frequency of 28000 kHz as referred to in Article 34 point d is granted only for special Telecommunication operator for government institution.

Paragraph 2

Apparatus License for Land Mobile Service

Article 39

The ISR for land mobile service as referred to in Article 33 point b is used for radio communication between a base station and land a mobile station or among land mobile stations, which at least consist of:

- a. trunked radio; and
- b. conventional radio.

Article 40

- (1) The ISR for trunked radio on land mobile service as referred to in Article 39 point a is prioritized for the operation of terrestrial trunked radio mobile network.
- (2) Exempted from the provision as referred to in section (1), the ISR for trunked radio on land mobile service may be granted to special telecommunications operator for:
 - a. government institutions; or
 - b. legal entities.

Article 41

- (1) The ISR for conventional radio on land mobile service as referred to in Article 39 point b can be used for private use, among others:
 - a. conventional radio communication system using base station devices, repeaters, or handy talky devices;
 - b. taxi radio communication system; or
 - c. radio communication system for data communication purpose.
- (2) The ISR for conventional radio on land mobile service as referred to in section (1) can be granted to:

- a. legal entities;
- b. business entities;
- c. public entities;
- d. government institutions;
- e. foreign missions, including world organization/agency under the United Nations and official regional organizations; and
- f. individuals.

Paragraph 3
Apparatus License for Broadcasting Service

Article 42

- (1) The ISR for Broadcasting service as referred to in Article 33 point c is used for Broadcasting purposes:
 - a. Radio Broadcasting service; and
 - b. television Broadcasting service.
- (2) The ISR for Broadcasting service as referred to in section (1) is granted to:
 - a. holder of Broadcasting operation license; or
 - b. applicant of Broadcasting operation license, of which:
 1. an application has been accepted for the operation of Broadcasting that is not based on Broadcasting operation opportunity;
 2. an application has been accepted for the operation of Broadcasting that is not based on selection; or
 3. an application has been stipulated as selection winner for the operation of Broadcasting based on selection,
 - c. by the Director General of Resources for Post and Information Technology Equipment.

Paragraph 4
Apparatus License for Maritime Service

Article 43

- (1) The ISR for maritime service as referred to in Article 33 point d is used for radio communication and maritime navigation purposes, namely:
 - a. vessel Radio Station; and
 - b. coastal Radio Station.
- (2) The ISR for maritime service as referred to in section (1) can be granted to:
 - a. legal entities;
 - b. business entities;
 - c. public entities;
 - d. government institutions; and
 - e. individuals.
- (3) The ISR granting for individuals as referred to in section (2) point e is only for vessel Radio Station.

Paragraph 5
Apparatus License for Aeronautical Service

Article 44

- (1) The ISR for aeronautical service as referred to in Article 33 point e is used for radio communication and aeronautical navigation purposes, namely:
 - a. aircraft Radio Station; and
 - b. ground-to-air Radio Station.
- (2) The ISR for aeronautical service as referred to in section (1) can be granted for:
 - a. legal entities;
 - b. business entities;
 - c. public entities;
 - d. government institutions; and
 - e. individuals.

Paragraph 6
Apparatus License for Satellite Service

Article 45

- (1) The ISR for satellite service as referred to in Article 33 point f is used for radio communication purpose that uses satellite, namely:
 - a. space station ISR; and
 - b. earth station ISR.
- (2) Further provisions regarding ISR for satellite service as referred to in section (1) are in accordance with the provisions of legislation.

Part Three
Procedures for Application of Apparatus License

Article 46

- (1) Application of ISR by business actor is submitted through Online Single Submission/OSS system.
- (2) Further provisions regarding licensing through Online Single Submission/OSS system are in accordance with the provisions of legislation.

Article 47

The Applicant of ISR that has owned at least 5.000 (five thousand) ISRs and single business number, may submit multiple ISR applications through a private interface in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General integrated with the Online Single Submission/OSS system.

Article 48

In addition to submitting multiple ISR applications, the private interface in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General as referred to in Article 47 can also be used for:

- a. ISR extension;
- b. ISR data change;

- c. ISR validity period termination;
- d. accessing the information on licensing process status;
- e. accessing the information on Spectrum Fee payment status;
and
- f. downloading:
 - 1. SPP;
 - 2. invoice of Spectrum Fee along with the penalty, if any;
 - 3. ISR validity period termination letter;
 - 4. ISR revocation letter;
 - 5. ISR data;
 - 6. ISR; and
 - 7. payment proof of ISR Spectrum fee.

Article 49

In addition to being used for services as referred to in Article 48, private interface in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General can also be used for reporting on the use of the Radio Frequency Band by IPFR holder as referred to in Article 31.

Article 50

- (1) In order to be able to use private interface in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General as referred to in Article 47, the ISR holder must fulfill:
 - a. administrative requirements; and
 - b. technical requirements.
- (2) Administrative requirements as referred to in section (1) point a, consist of:
 - a. application letter to use private interface in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General addressed to the Director General and signed by the president director or the authorized party based on company notary deed to sign the application letter; and
 - b. statement letter on the use of private interface in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General signed by the president director or the authorized party based on company notary deed to sign the statement letter.
- (3) Technical requirements for the use of private interface in the Radio Frequency Spectrum Licensing Service Facility in the Directorate General as referred to in section (1) point b at least consist of:
 - a. server and interface;
 - b. web service address; and
 - c. network security system.
- (4) The user candidate of the private interface in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General must provide a system that can be connected with the technical requirements as referred to in section (3).
- (5) The Directorate General evaluates the application for the use of the private interface in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General as referred to in section (2).

Article 51

- (1) In the event that the administrative requirements and the technical requirements as referred to in Article 50 section (2) and section (3) has been fulfilled by the ISR holder, the Director General gives a username and password for a private interface account in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General.
- (2) User of the private interface in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General is responsible for the usage of the account and service of the private interface in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General.
- (3) The Directorate General periodically evaluates the use of private interface in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General every year.

Article 52

- (1) Application for license on the use of Radio Frequency Spectrum through private interface in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General as referred to in Article 51 is submitted electronically.
- (2) Every transaction for license to use of Radio Frequency Spectrum through private interface in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General is recorded and stored in a log file on the server of the Directorate General.

Article 53

- (1) In the event that there is an administrative data change of the ISR holder who uses the private interface in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General, the ISR holder reports it in writing to the Director General.
- (2) Based on the report as referred to in section (1), the Director General creates data change in the database of the private interface in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General.

Article 54

- (1) An ISR Application by other than business actor is submitted through Radio Frequency Spectrum Licensing Service Facility of the Directorate General.
- (2) The application as referred to in section (1) is the application submitted by:
 - a. legal entity;
 - b. public agency;
 - c. government institution;
 - d. world agency/organization under the United Nations and official regional organization;
 - e. foreign missions; and/or
 - f. individual.

- (3) ISR for foreign missions as referred to in section (2) point e is granted based on mutual principle.

Article 55

In addition for ISR application, Radio Frequency Spectrum Licensing Service Facility of the Directorate General as referred to in Article 54 section (1) can be used for other ISR services, among others for:

- a. termination of validity period of ISR;
- b. ISR data change;
- c. accessing information on licensing process status;
- d. accessing information on ISR Spectrum Fee payment status; and
- e. downloading:
 1. SPP;
 2. invoice of Radio Frequency Spectrum BHP along with the penalty if any;
 3. ISR validity period termination letter;
 4. ISR revocation letter;
 5. ISR data;
 6. ISR; and
 7. full payment proof of ISR Spectrum Fee.

Article 56

The ISR application as referred to in Article 46 section (1) and Article 54 section (1) is submitted by filling in the application form and fulfilling the following requirements of:

- a. declaring that the data and documents submitted are true and valid;
- b. filling in the data technical form on the use of the Radio Frequency Spectrum;
- c. not having non-tax state revenue obligations owed to the Ministry;
- d. having confirmation of taxpayer status from the ministry that administers government affairs in the field of finance;
- e. using certified Telecommunication Equipment and/or Telecommunication Device in accordance with their designation;
- f. attaching a grosse deed or letter of measurement for the vessel radio station from the minister that administers government affairs in the field of transportation, for application of Maritime service ISR;
- g. attaching a letter of recommendation for a ground-to-air radio station from the minister that administers government affairs in the field of transportation, for application of aeronautical service ISR;
- h. attaching the satellite landing rights from The Director General, for application of base station ISR using foreign satellite;
- i. for application of space station ISR, attaching:
 1. satellite landing rights from the Director General, if using foreign satellites;
 2. cooperation agreement for the use of satellite capacity with the satellite owner, if not using their own satellite. Especially for fixed satellite service and broadcast

- satellite service, the cooperation agreement must state the minimum capacity usage; and
3. letter of commitment stating the capability to provide infrastructure that can control customer traffic (hub, gateway or teleport).
 - j. attaching the microwave link landing right, for application of fixed service ISR for point-to-point microwave link, which is part of a cross-country telecommunication network; and
 - k. attaching a letter of recommendation from the ministry that administers in the government foreign affairs, for applications of land mobile service ISR by representatives of foreign countries.

Article 57

- (1) Approval or rejection on ISR application as referred to in Article 56 is determined within 1 (one) Day since the application is received completely.
- (2) Approval or rejection on ISR application as referred to in section (1) is granted based on technical analysis result as referred to in Article 32 section (2) and section (3).
- (3) Exempted from the provisions as referred to in section (1), for application for the use of Radio Frequency Spectrum based on ISR requiring international coordination, ISR is issued after there is an approval on the use of Radio Frequency Spectrum based on the result of international coordination.
- (4) For every application approval to obtain the ISR, a SPP issued.
- (5) Exempted from the provisions as referred to in section (4), for the approval of ISR application for maritime service and aeronautical service, and national defense and national security requirements, ISR issued.

Article 58

- (1) SPP as referred to in Article 57 section (4) has a validity period of 30 (thirty) calendar days as of the date of issuance.
- (2) In the event that ISR Spectrum Fee fails to be paid fully within the period as referred to in section (1):
 - a. approval for application is cancelled; and
 - b. SPP as referred to in section (1) is declared null and void.

Article 59

- (1) ISR can be downloaded through Radio Frequency Spectrum Licensing Service Facility of the Directorate General on the same day after the ISR Spectrum Fee in accordance with SPP as referred to in Article 57 section (4) is fully paid.
- (2) ISR as referred to in section (1) issued electronically with an electronic signature in accordance with the provisions of legislation.

Part Four
Validity Period of Apparatus License

Article 60

- (1) ISR is valid for a maximum period of 5 (five) years.
- (2) ISR as referred to in section (1) can be extended 1 (one) time with a maximum period of 5 (five) years.
- (3) ISR as referred to in section (2) can be granted after the ISR holder pays the ISR Spectrum Fee of the second period of ISR validity period based on the SPP.
- (4) The period as referred to in section (1) and section (2) is granted under the following considerations:
 - a. planning on the use of Radio Frequency Spectrum in the future;
 - b. pooling of validity period of ISR and/or due date for the payment of ISR Spectrum Fee; or
 - c. temporary use of Radio Frequency Spectrum for a maximum period of 1 (one) year and can be extended based on evaluation.
- (5) In addition to the considerations as referred to in section (4), the period of ISR can be stipulated based on:
 - a. application of ISR; or
 - b. adjustment of validity period of Broadcasting operation license,after an evaluation has been performed by the Director General.

Article 61

Exempted from the provisions as referred to in Article 60 section (2), ISR cannot be extended in the event that:

- a. there is a change in Radio Frequency Allocation and/or planning on the use of Radio Frequency Spectrum;
- b. non-fulfillment of obligation to settle payment of ISR Spectrum Fee for the second period of the validity period; or
- c. there is a submission for the termination of validity period of ISR from ISR holder.

Article 62

- (1) SPP for ISR extension as referred to in Article 60 section (3) is issued at least within 60 (sixty) calendar days prior to the end of the ISR validity period.
- (2) In the event that the ISR holder fails to settle payment of ISR Spectrum Fee for the second period of the ISR validity period as referred to in section (1):
 - a. ISR will not be extended; and
 - b. SPP issued is declared null and void.

Article 63

- (1) In the event that the ISR holder whose extension period has expired as referred to in Article 60 section (2) intends to use the Radio Frequency Spectrum for the next validity period, the holder may apply for a new ISR.
- (2) Holders of ISR as referred to in section (1) may be prioritized for the new ISR applications by taking into account:

- a. planning on the use of Radio Frequency Spectrum;
- b. fulfillment of obligations for the use of Radio Frequency Spectrum; and
- c. fulfillment of obligations of Telecommunication or Broadcasting operation.

Article 64

- (1) ISR for the temporary use of Radio Frequency Spectrum as referred to in Article 60 section (4) point c is granted for certain activities as follows:
 - a. state activities;
 - b. disaster management;
 - c. search and rescue;
 - d. research;
 - e. technology trial;
 - f. trial of Radio Transmitter and/or Radio Receiver;
 - g. commercial activities for the temporary Telecommunication networks operation;
 - h. Broadcasting activities in a limited area in accordance with the Radio Frequency Spectrum master plan for Broadcasting purposes; or
 - i. certain events.
- (2) In the event that the activities as referred to in section (1) are performed by foreign missions or international organizations in Indonesia, the application of ISR is submitted to the ministry administering government foreign affairs and is granted based on mutual principle.
- (3) Certain activities as referred to in section (1) point d to point f is required first to obtain approval from the Minister.

Part Five

Obligations of the Apparatus License Holders

Article 65

ISR holder is obligated to fulfill the following provisions of:

- a. paying ISR Spectrum Fee at the latest on the due date;
- b. using correct and valid identification signals or Radio Station Identity on every transmission of Radio Frequency Spectrum for certain radio communication service;
- c. using Radio Frequency Spectrum in accordance with its designation;
- d. using Radio Frequency Spectrum Optimally;
- e. using certified Telecommunication Equipment and/or Telecommunication Device;
- f. operating Radio Station in accordance with the technical parameter as set forth in the ISR, among others:
 - 1. Location and point of coordinate of the Radio Station;
 - 2. height of antenna;
 - 3. width of Radio Frequency Band; and
 - 4. transmitting power;
- g. using Radio Frequency Spectrum without causing harmful interference as referred to in Article 2 section (2) point b;
- h. registering periodically earth station every year, for space station ISR holders; and
- i. fulfilling class of emission in accordance with the radio regulation as set forth by ITU.

Part Six
Termination of Apparatus License

Article 66

- (1) Validity period of ISR can be terminated before the end of the validity period as referred to in Article 60.
- (2) Termination of ISR validity period as referred to in section (1) is carried out on the basis of:
 - a. submission for ISR termination by ISR holder; or
 - b. revocation of ISR.
- (3) Termination of ISR as referred to in section (2) does not eliminate the obligation to fully pay the owed ISR Spectrum Fee.

Article 67

- (1) Submission for termination of ISR as referred to in Article 66 section (2) point a is received not later than the due date of the payment of annual ISR Spectrum Fee.
- (2) Submission for termination of ISR as referred to in section (1) is submitted to the Director General.
- (3) In the event that the submission for termination of ISR is received after the due date as referred to in section (1), the submission for termination of ISR can be approved and the ISR holder remains to be obligated to pay the ISR Spectrum Fee for the following year.
- (4) Approval or rejection on the submission for termination of ISR as referred to in section (2) is decided within 1 (one) Day after the request is fully and completely received.
- (5) In the event that the submission for termination of ISR as referred to in section (1) is approved, the Director General issues a letter of ISR termination.
- (6) Information on the amount of the annual ISR Spectrum Fee for the following year for the submission for termination of ISR that has been approved and in compliance with the provisions as referred to in section (1) is deemed null and void.

Article 68

- (1) Termination of ISR validity period based on revocation as referred to in Article 66 section (2) point b is carried out because:
 - a. Telecommunication operation license or Broadcasting operation license has ended or has been revoked;
 - b. there is a higher public interest;
 - c. of change on the national planning of the use of Radio Frequency Spectrum;
 - d. of failing to obtain Telecommunication operation license or Broadcasting operation license until 1 (one) year since the issuance of ISR;
 - e. the service life of the satellite ends, for ISR Satellite service;
 - f. validity period of satellite landing rights ends in terms of the use of foreign satellites, for ISR satellite service; and/or
 - g. of violating the provisions of legislation, namely:

1. intentionally submitting incorrect data and/or invalid documents in fulfilling the requirements of the ISR application;
 2. failing to pay fully the ISR Spectrum Fee until the deadline;
 3. failing to use identification signals or radio station identity and/or use false or misleading identification signals and/or Radio Station identities in any Radio Frequency Spectrum transmitting in certain radio communication services;
 4. failing to periodically register earth stations every year, for space ISR holders;
 5. transferring the ISR;
 6. failing to carry out service transmitting activities according to ISR for a minimum of 12 (twelve) months based on the results of Radio Frequency Spectrum monitoring for 3 (three) times; and/or
 7. making changes to administrative data and/or technical data without the approval of the Director General.
- (2) In the event that the ISR revocation as referred to in section (1) occurs due to an abnormality of Radio Frequency Spectrum Licensing Service Facility of the Directorate General, an ISR revocation can be cancelled.
- (3) Abnormality condition of the Radio Frequency Spectrum Licensing Service Facility of the Directorate General as referred to in section (2) must be proven by the Directorate General.
- (4) In the event that it is proven that there is an abnormality in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General, a repair is made accordingly.

Part Seven Apparatus License Data Change

Article 69

- (1) Changes can be made on the ISR data as follows:
 - a. ISR administrative data change; and/or
 - b. ISR technical parameter data change.
- (2) ISR administrative data change and/or ISR technical parameter as referred to in section (1) does not change the ISR validity period.

Article 70

- (1) ISR administrative data change as referred to in Article 69 section (1) point a consists of:
 - a. name of ISR holder;
 - b. name of person in charge for ISR;
 - c. name of person in charge for licensing process;
 - d. domicile of ISR holder;
 - e. email address; and/or
 - f. billing and/or correspondence address.
- (2) ISR administrative data change as referred to in section (1) point a and point b is required to first obtain approval from the Director General.

- (3) ISR administrative data change as referred to in section (1) point c to point f is required to be reported to the Director General at the latest within 7 (seven) Days since the administrative data change is officially performed, by filling in the ISR administrative data change form.
- (4) In the event that the result of the intention or negligence of the ISR holder who fails to report the administrative data change of the ISR as referred to in section (1), cause the notification letter which has legal consequences fail to arrive,, the ISR holder cannot make an excuse that it does not receive the notification as a basis for not performing the obligations or decisions specified in the notification letter.

Article 71

- (1) ISR technical parameter data change as referred to in Article 69 section (1) point b consists of:
 - a. change of location or point of coordinates;
 - b. change in antenna height;
 - c. change in transmitting power;
 - d. change in bandwidth;
 - e. change in Telecommunication Equipment and/or Telecommunication Device; and/or
 - f. change in the Radio Frequency Channel on the same Radio Frequency Band.
- (2) Change in Radio Frequency Channel on the same Radio Frequency Band as referred to in section (1) point f is only applicable for fixed service, land mobile service, and Broadcasting service.
- (3) ISR technical parameter data change as referred to in section (1) point a, point b, point c, point d, and point f for Broadcasting service must be in compliance with the provisions as regulated in the master plan of Radio Frequency Spectrum for Broadcasting purpose.
- (4) ISR technical parameter data change as referred to in section (1) is required to obtain approval from The Director General.
- (5) Approval for ISR technical parameter data change as referred to in section (4) is granted by taking into account:
 - a. evaluation result on the availability of Radio Frequency Spectrum;
 - b. technical analysis result; and/or
 - c. ITU approval if required, for ISR technical parameter data change in Broadcasting service for radio Broadcasting service on medium frequency band.

Article 72

- (1) Application for ISR technical parameter data change as referred to in Article 71 can be submitted at any time to the Director General, in the event that:
 - a. change is made for Radio Frequency Channel on the same Radio Frequency Band; and/or
 - b. ISR technical parameter data change does not cause a change in the amount of ISR Spectrum Fee to be greater than the amount that has been in the current year.

- (2) ISR technical parameter data change as referred to in Article 71 section (1) that causes a change in the amount of ISR Spectrum Fee to be greater than the amount that has been in the current year must be submitted not later than 91 (ninety-one) calendar days before the due date of the payment of annual ISR Spectrum Fee for the following year.
- (3) In the event that the application for ISR technical parameter data change is submitted beyond the period as referred to in section (2), the application for ISR technical parameter data change cannot be accepted.
- (4) In the event that ISR technical parameter data change requires ITU approval as referred to in Article 71 section (5) point c, application for ISR technical parameter data change as referred to in section (1) must be submitted within the period from April 1st to April 30th.
- (5) Approval or rejection on the application of ISR technical parameter data change is issued within 1 (one) Day since the application is fully received.

Article 73

- (1) Technical parameter data change as referred to in Article 71 section (1) may cause a change in the amount of ISR Spectrum Fee.
- (2) The change in the amount of ISR Spectrum Fee as referred to in section (1) may be:
 - a. less than or equal to the ISR Spectrum Fee that has been paid for the current year; or
 - b. greater than the ISR Spectrum Fee that has been paid for the current year.
- (3) In the event that the amount of ISR Spectrum Fee is less than the amount of ISR Spectrum Fee that has been paid for the current year as referred to in section (2) point a, the amount difference of the ISR Spectrum Fee that has been paid for the current year is non-refundable.
- (4) In the event that the amount of ISR Spectrum Fee is greater than the amount of ISR Spectrum Fee that has been paid for the current year as referred to in section (2) point b, adjustment on the amount of ISR Spectrum Fee is made to the amount difference of the ISR Spectrum Fee that has been paid for the current year.
- (5) The amount difference of the ISR Spectrum Fee as referred to in section (4) is calculated using the following formulae:

$$\text{Difference of ISR} = \frac{(\text{new ISR Spectrum Fee} - \text{previous ISR Spectrum Fee})}{\text{number of days for the current year}} \times \text{remaining period of days of the ISR Spectrum}$$

- (6) The amount difference of ISR Spectrum Fee as referred to in section (5) is billed through the issuance of underpayment notice by the Director General.
- (7) Underpayment notice as referred to in section (6) is given within 30 (thirty) calendar days.
- (8) Exempted from the provisions as referred to in Article 72 section (5), approval on the application of ISR technical parameter data change causing a change in the amount of ISR Spectrum Fee to be greater than the amount that has

been paid for the current year issued within 1 (one) Day after the ISR holder has paid the underpayment as referred to in section (6).

- (9) If the payment settlement for the amount difference of ISR Spectrum Fee as referred to in section (6) fails to be made within the period as referred to in section (7):
 - a. application for ISR technical parameter data change is declared to be rejected; and
 - b. underpayment notice as referred to in section (6) is declared null and void.

Article 74

In the event that there is a policy of the Minister that causes a technical parameter data change in the ISR as referred to in Article 69 section (1) point b, the Director General may make changes to the data and issue an ISR adjustment without an application for data change from the ISR holder.

Article 75

In the event that there is a difference between the data listed in the ISR and the data in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General, the correct data to be used are the data in the Radio Frequency Spectrum Licensing Service Facility of the Directorate General.

CHAPTER V CLASS LICENSES

Article 76

- (1) Class Licenses as referred to in Article 5 point c is granted for the use of Radio Frequency Spectrum provided that:
 - a. it is share-used of time, area and/or technology in harmony among users;
 - b. it is prohibited from causing harmful radio frequency interference ;
 - c. it does not get interference protection from other users; and
 - d. it is required to comply with stipulated technical provisions.
- (2) Further provisions regarding the use of Radio Frequency Spectrum based Class Licenses are in accordance with the provisions of legislation.

CHAPTER VI SHARING USE OF RADIO FREQUENCY SPECTRUM

Article 77

The Minister may stipulate sharing use of Radio Frequency Spectrum as set forth through the use of Radio Frequency Spectrum license granted to the respective Radio Frequency Spectrum users in the form of:

- a. IPFR; or
- b. ISR.

Article 78

- (1) The sharing use of Radio Frequency Spectrum as referred to in Article 77 is performed based on efficiency principle on the use of Radio Frequency Spectrum and does not cause harmful interference.
- (2) The sharing use of Radio Frequency Spectrum as referred to in section (1) is performed through differentiation of time, area, and/or technology.

CHAPTER VII
COOPERATION ON THE USE OF RADIO FREQUENCY
SPECTRUM

Article 79

- (1) Telecommunication network operator holding license to use Radio Frequency Spectrum may establish cooperation on the use of Radio Frequency Spectrum for the implementation of new technology with other Telecommunication network operators and/or special Telecommunication operators.
- (2) The new technology as referred to in section (1) refers to the Telecommunication technology of which implementation in the territory of the Republic of Indonesia is carried out after the enforcement of Law Number 11 of 2020 on Job Creation.
- (3) The new technology as referred to in section (2) consists of:
 - a. International Mobile Telecommunications-2020 (IMT-2020) and the technology developed thereafter for the purpose of mobile cellular network operation;
 - b. the Global System for Mobile communications-Railway (GSM-R) technology and the technology developed thereafter for the purposes of train signaling,; and
 - c. other purposes.
- (4) Radio Frequency Spectrum that can be turned into cooperation as referred to in section (1) is Radio Frequency Band of which use right has been stipulated in the form of IPFR.
- (5) Special Telecommunication operators as referred to in section (1) constitute government institutions or Indonesian legal entities that have fulfilled the licensing provisions of the special Telecommunication operation.
- (6) Cooperation on the use of Radio Frequency Spectrum as referred to in section (1) is carried out based on the following purposes of:
 - a. Optimization;
 - b. cost efficiency on the development of Telecommunication infrastructure that uses Radio Frequency Spectrum;
 - c. expanding the area coverage served by the Telecommunication services;
 - d. quality improvement on Telecommunication services;
 - e. presenting new Telecommunications services;
 - f. setting out a more affordable price of Telecommunication services for the public; and/or
 - g. fulfillment of the needs of national interests.

- (7) Cooperation on the use of Radio Frequency Spectrum as referred to in section (1) is carried out based on healthy competition and non-discriminative principles.

Article 80

- (1) Cooperation on the use of Radio Frequency Spectrum as referred to in Article 79 section (1) can be performed:
 - a. in the entire service area and in some part of the Radio Frequency Band listed in IPFR;
 - b. in the entire service area and in the entire Radio Frequency Band listed in IPFR;
 - c. in some part of the service area and in some part of the Radio Frequency Band listed in IPFR; or
 - d. in some part of the service area and in the entire Radio Frequency Band listed in IPFR.
- (2) Cooperation on the use of Radio Frequency Spectrum as referred to in section (1) is carried out in the form of:
 - a. the use of Radio Frequency Band of which use right has been assigned for other Telecommunication operators as IPFR holders; and/or
 - b. the use of Radio Frequency Band as a result of aggregation of several Radio Frequency Bands of which use right has been assigned to 2 (two) or more IPFR holders.

Article 81

- (1) Application for approval on cooperation on the use of Radio Frequency Spectrum can be submitted at the same time by the Telecommunication network operators and/or special Telecommunication operators that will establish cooperation on the use of radio frequency spectrum based on the following provisions:
 - a. has no payment obligation of owed non-tax state revenue to the Ministry;
 - b. for Telecommunication network operators has fulfilled the development obligations of Telecommunication network operation at least 50% (fifty percent) of the entire 5 (five)-year development obligation as of the first time the telecommunications operation permit is stipulated; and/or
 - c. other provisions as stipulated by the Minister by considering public interests and/or Optimization.
- (2) In stipulating other provisions as referred to in section (1) point c, the Minister may coordinate with relevant ministers/institution leaders.
- (3) Application for cooperation on the use of Radio Frequency Spectrum is addressed to the Minister, by attaching a plan of cooperation on the use of Radio Frequency Spectrum consisting of:
 - a. cooperation agreement between the Telecommunication network operators and/or special Telecommunication operators that will cooperate, which at least contain information concerning:
 1. parties who establish cooperation on the use of Radio Frequency Spectrum;

2. the purpose of the cooperation;
 3. the technology used;
 4. Radio Frequency Band in cooperation;
 5. the scope of the cooperation area; and
 6. the implementation period of the cooperation;
- b. data on the condition of the telecommunication network from the parties that will establish cooperation on the use of Radio Frequency Spectrum on the Radio Frequency Band and the area where the cooperation will be conducted;
 - c. telecommunication network projection data from the parties after the cooperation on the use of Radio Frequency Spectrum has been carried out on Radio Frequency Bands and the areas that will be in cooperation during the implementation period of the cooperation;
 - d. a business plan for the period of the cooperation implementation;
 - e. Frequency Spectrum including but not limited to the potential for harmful interference; and
 - f. a duly stamped statement letter regarding the correctness of the data provided.

Article 82

- (1) Application for cooperation as referred to in Article 81 is evaluated by considering the purpose and principle of the cooperation on the use of Radio Frequency Spectrum.
- (2) Evaluation on the application for cooperation on the use of Radio Frequency Spectrum as referred to in section (1) is performed at the latest 90 (ninety) workdays since the application for the approval of cooperation on the use of Radio Frequency Spectrum has been fully received.
- (3) In evaluating the application for cooperation on the use of Radio Frequency Spectrum as referred to in section (1), the Minister may coordinate with relevant ministers/institution leaders.

Article 83

- (1) Based on the evaluation result as referred to in Article 82, The Minister may:
 - a. entirely approve;
 - b. partly approve; or
 - c. reject,the application for cooperation plan submitted as referred to in Article 81 section (3).
- (2) In the event that based on evaluation as referred to in Article 82 the application for the cooperation on the use of Radio Frequency Spectrum can be approved, the Minister stipulates approval for cooperation on the use of Radio Frequency Spectrum.
- (3) Approval on the cooperation on the use of Radio Frequency Spectrum as referred to in section (2) at least contains the following information:
 - a. parties who will establish cooperation on the Use of Radio Frequency Spectrum;

- b. the purpose of the cooperation;
 - c. the technology used;
 - d. Radio Frequency Band in cooperation;
 - e. the scope of the cooperation area;
 - f. the implementation period of the cooperation; and
 - g. other obligations that are required to be fulfilled by the parties establishing the cooperation.
- (4) In the event that the application for cooperation on the use of Radio Frequency Spectrum as referred to in Article 82 is rejected, the Minister issues a rejection letter of cooperation on the use of Radio Frequency Spectrum.

Article 84

The process flow for the application for cooperation on the use of Radio Frequency Spectrum as referred to in Article 81 to Article 83 is set forth by the Director General.

Article 85

- (1) Parties who have obtained cooperation approval on the use of Radio Frequency Spectrum are obligated to submit periodic reports, which at least concern the following:
- a. report on the use of Radio Frequency Spectrum as referred to in Article 31 section (5);
 - b. monitoring results on the Quality of Service/QOS;
 - c. the price of services provided to the public; and
 - d. conformity of implementation with the purposes and principles of cooperation on the use of Radio Frequency Spectrum.
- (2) Periodic reports as referred to in section (1) is required to be submitted based on the following provisions:
- a. at least 1 (one) time in 1 (one) year if the cooperation implementation period is more than 1 (one) year; or
 - b. at least 1 (one) time in the cooperation implementation period if the cooperation implementation period is less than or equal to 1 (one) year.

CHAPTER VIII

FEE FOR THE RIGHT ON THE USE OF RADIO FREQUENCY SPECTRUM

Part One General

Article 86

- (1) Holders of the use of Radio Frequency Spectrum license are obligated to pay ISR Spectrum Fee.
- (2) Obligation of ISR Spectrum Fee as referred to in section (1) is imposed at the time the use of Radio Frequency Spectrum license issued.
- (3) In addition to being an obligation for the holders of the use of Radio Frequency Spectrum license as referred to in section (1), payment of ISR Spectrum Fee is also a requirement in the application for the use of Radio Frequency Spectrum license.

- (4) The ISR Spectrum Fee as referred to in section (1) consists of:
- a. IPFR Spectrum Fee; and
 - b. ISR Spectrum Fee.

Article 87

The obligation to pay ISR Spectrum Fee as referred to in Article 86 is exempted for the use of Radio Frequency Spectrum that includes:

- a. Telecommunication specifically for the purposes of national defense and national security;
- b. special Telecommunication for special service purposes;
- c. special Telecommunication for the purposes of government institutions used by foreign missions in Indonesia to and/or from the country of origin based on the mutual principle;
- d. research, technology trial, and/or Telecommunication equipment and/or Telecommunication device or non-commercial Broadcasting trial conducted by government institution and/or domestic educational and training institution;
- e. state activities;
- f. disaster management emergency response activities; and/or
- g. the use of Radio Frequency Spectrum by Class License.

Part Two

Spectrum Fee for Bandwidth License

Paragraph 1

General

Article 88

The amount of IPFR Spectrum Fee tariff as referred to in Article 86 section (4) point a is stipulated based on:

- a. selection mechanism; or
- b. calculation mechanism using formula.

Paragraph 2

Spectrum Fee for Bandwidth License based on Selection Mechanism

Article 89

- (1) IPFR Spectrum Fee stipulated based on selection mechanism as referred to in Article 88 point a is intended for holders of IPFR, which issued based on selection mechanism.
- (2) The amount of IPFR Spectrum Fee stipulated based on the selection mechanism as referred to in section (1) consists of:
 - a. initial fee of license; and
 - b. annual fee of IPFR.

Article 90

The initial fee of license as referred to in Article 89 section (2) point a is set forth based on the selection result in accordance with the provisions of legislation.

Article 91

- (1) The initial fee of license as referred to in Article 90 is paid based on the following provisions:
 - a. after stipulated as selection winner;
 - b. is required to be settled no later than the due date in accordance with the provisions of legislation.
- (2) The initial fee of license as referred to in section (1) that has been paid is non-refundable.
- (3) In the event that the initial fee of license as referred to in section (1) is not fully paid or paid after the due date, stipulation as selection winner is cancelled by the Minister.

Article 92

The amount of the annual fee of IPFR as referred to in Article 89 section (2) point b is set forth based on the selection result in accordance with the provisions of legislation.

Article 93

- (1) The annual fee of IPFR as referred to in Article 92 for the first year is required to be paid not later than the due date in accordance with the provisions of legislation.
- (2) In the event that the annual fee of IPFR for the first year as referred to in section (1) has not been fully paid or paid after the due date, stipulation as selection winner is cancelled by the Minister.
- (3) The annual fee of IPFR as referred to in Article 92 for the second year and the following years until the validity period of IPFR expires is required to be fully paid every year at the latest 1 (one) Day before the date and month of the IPFR issuance.

Article 94

The amount of initial fee of license as referred to in Article 90 and the amount of the annual fee of IPFR as referred to in Article 92 is stipulated by the Minister.

Article 95

IPFR issued after the initial fee of license as referred to in Article 91 and the annual fee of IPFR for the first year as referred to in Article 93 have been fully paid.

Article 96

- (1) IPFR holder which IPFR issued based on the selection mechanism as referred to in Article 11 point a may be imposed with obligation to submit the spectrum surety bond in the form of bank guarantee every year to the Minister.
- (2) The obligation to submit the spectrum surety bond as referred to in section (1) is applicable during the validity period of IPFR.
- (3) Mechanism for the obligation to submit the spectrum surety bond as referred to in section (1) is stipulated by the Minister.

Paragraph 3
Spectrum Fee for Bandwidth License based on Calculation
Mechanism by Using Formula

Article 97

- (1) IPFR Spectrum Fee stipulated based on calculation mechanism by using formula as referred to in Article 88 point b is intended for:
 - a. IPFR issued through the change of ISR to IPFR as referred to in Article 11 point b;
 - b. IPFR issued based on evaluation as referred to in Article 11 point c; and
 - c. IPFR issued for new IPFR applications that have expired as referred to in Article 21.
- (2) The amount of IPFR Spectrum Fee stipulated based on calculation mechanism by using formula as referred to in section (1) is in the form of the annual fee of IPFR.
- (3) The amount of IPFR Spectrum Fee stipulated based on calculation mechanism by using formula as referred to in section (2) is stipulated by the Minister.

Article 98

The amount of IPFR Spectrum Fee for IPFR issued through the change of ISR to IPFR as referred to in Article 97 section (1) point a is calculated under the following provisions:

- a. IPFR Spectrum Fee in the form of annual fee of IPFR for the first year until the fifth year uses the following calculation:

The first year	$Y_1 = X + ((20\% \times \Delta) - Z)$
The second year	$Y_2 = X + (40\% \times \Delta)$
The third year	$Y_3 = X + (60\% \times \Delta)$
The fourth year	$Y_4 = X + (80\% \times \Delta)$
The fifth year	$Y_5 = X + (100\% \times \Delta)$

- b. IPFR Spectrum Fee in the form of annual fee of IPFR for the sixth year until the tenth year use the following formula:

$$\text{IPFR Spectrum Fee (Rupiah)} = N \times K \times I \times C \times B$$

Article 99

- (1) Component X in the calculation as referred to in Article 98 point a is the ISR Spectrum Fee which is collected within the period of 1 (one) year before the IPFR issuance.
- (2) Component Z in the calculation as referred to in Article 98 point a is a deduction factor against IPFR Spectrum Fee as referred to in Article 97 section (1) point a for the first year.
- (3) Component Delta (Δ) in the calculation as referred to in Article 98 point a is the result of calculation based on the following formula:

$$[N \times K \times I \times C \times B] - X$$

Article 100

The amount of IPFR Spectrum Fee for IPFR issued based on evaluation as referred to in Article 97 section (1) point b is calculated using the following formula:

$$\text{IPFR Spectrum Fee (Rupiah)} = N \times K \times I \times C \times B$$

Article 101

- (1) Component N in the formula as referred to in Article 98 point b, Article 99 section (3), and Article 100 is a normalizing factor to maintain the stability of non-tax state revenues from Spectrum Fee.
- (2) Component N as referred to in section (1) applies to all Radio Frequency Bands in the calculation of IPFR Spectrum Fee as referred to in Article 97 section (1).
- (3) The component N value as referred to in section (1) is adjusted annually using consumer price index (IHK) data obtained from the government institution that administers government affairs in statistics.
- (4) The adjustment for component N value as referred to in section (3) is calculated using the following formula:
$$N_{\text{adjustment}} = \frac{IHK_{n-1}}{IHK_{n-2}} \times N_{n-1}$$
- (5) IHKn-1 in the formula as referred to in section (4) is consumer price index (IHK) data in December for a period of 1 (one) year prior to the year of IPFR Spectrum Fee calculation.
- (6) IHKn-2 in the formula as referred to in section (4) is consumer price index (IHK) data for December for a period of 2 (two) years prior to the year of IPFR Spectrum Fee calculation.
- (7) Nn-1 in the formula as referred to in section (4) is the component N value stipulated within 1 (one) year prior to the year of IPFR Spectrum Fee calculation.
- (8) The calculation result of the adjustment of the component N value as referred to in section (4) is rounded up to 5 (five) digits after the comma.

Article 102

- (1) Component K in the formula as referred to in Article 98 point b, Article 99 section (3), and Article 100 is an adjustment factor for each specific Radio Frequency Band that has economic value.
- (2) Component K as referred to in section (1) is determined by considering the economic value of the Radio Frequency Band used based on the type of service, service area, and the benefits of the use of radio frequency.
- (3) The value of the component K as referred to in section (1) is evaluated at least 1 (one) time in 5 (five) years by considering:
 - a. IPFR holder industrial condition;
 - b. Optimization; and
 - c. technological change and development.
- (4) The procedure for calculating the component K value as referred to in section (1) is stipulated by the Minister.

Article 103

- (1) Component I in the formula as referred to in Article 98 point b, Article 99 section (3), and Article 100 is the basic price index of Radio Frequency Band in accordance with the characteristics of Radio Frequency Band propagation.
- (2) The component I value as referred to in section (1) is in accordance with the provisions of legislation.

Article 104

- (1) Component C in the formula as referred to in Article 98 point b, Article 99 section (3), and Article 100 is a constant that represents the total population in kilo-population unit in a service area in accordance with the stipulated IPFR.
- (2) The value of component C as referred to in section (1) is determined annually based on data obtained from the government institution that administers government affairs in statistics.
- (3) The value of component C as referred to in section (2) is rounded up to 2 (two) digits after the comma.

Article 105

Component B in the formula as referred to in Article 98 point b, Article 99 section (3), and Article 100 is the amount of the Radio Frequency Bandwidth allocated according to the specified IPFR, including taking into account the bandwidth that cannot be used by other users (guard band) in MHz units.

Article 106

The component N value as referred to in Article 101, the component K value as referred to in Article 102, and the component C value as referred to in Article 104 is stipulated by the Minister.

Article 107

- (1) IPFR Spectrum Fee as referred to in Article 97 for the first year is required to be paid not later than the due date in accordance with the provisions of legislation.
- (2) In the event that IPFR Spectrum Fee as referred to in section (1) has not been fully paid or paid after the due date, stipulation of Radio Frequency Band is cancelled by the Minister.
- (3) The annual fee of IPFR as referred to in Article 97 section (2) for the second year and the following years until the validity period of IPFR expires is required to be fully paid each year at the latest 1 (one) Day before the date and month of the IPFR issuance.

Paragraph 4

Spectrum Fee for Bandwidth License for Radio Frequency Spectrum Migration

Article 108

- (1) In the event of migration, IPFR holder is imposed with IPFR Spectrum Fee on Radio Frequency Band resulted by the migration.
- (2) In the event that Radio Frequency Band resulted by the migration as referred to in section (1) has not been decided for the amount of IPFR Spectrum Fee, the calculation of IPFR Spectrum Fee for Radio Frequency Band resulted by the migration uses the formula as referred to in Article 100.

Paragraph 5
Payment of Spectrum Fee for Bandwidth License

Article 109

IPFR Spectrum Fee as referred to in Article 86 section (4) point a is deposited into the state treasury through an automatic payment system in accordance with the provisions of legislation.

Article 110

- (1) IPFR Spectrum Fee for the second year and the following years until the validity period of IPFR expires is required to be paid not later than the due date of payments stated in the IPFR.
- (2) IPFR holders may access information on the amount of IPFR Spectrum Fee as referred to in section (1) through the Radio Frequency Spectrum Licensing Service Facility at the soonest 60 (sixty) calendar days prior to the due date of the annual payment of IPFR Spectrum Fee.
- (3) In the event that the amount of IPFR Spectrum Fee as referred to in section (2) is not yet or cannot be accessed, the IPFR holder may request information on the amount of IPFR Spectrum Fee at the public service counter of the Directorate General and/or make payments for IPFR Spectrum Fee as referred to in Article 109 before the due date of the payment.

Article 111

The Director General issues authorization for IPFR Spectrum Fee payments as proof of full payment of IPFR Spectrum Fee.

Paragraph 6

Change of Payment Due Date for the Spectrum Fee for Bandwidth License

Article 112

- (1) The Minister may make a change to the payment due date for IPFR Spectrum Fee to be earlier than the previous payment due date by considering:
 - a. equalization of the validity period of IPFR;
 - b. to maintain the stability of non-tax state revenues; or
 - c. improvement of Telecommunication industry performance.
- (2) Regarding the change in the due date as referred to in section (1), the IPFR holder may apply for an overpayment of the IPFR Spectrum Fee.
- (3) The overpayment of IPFR Spectrum Fee as referred to in section (2) is calculated in accordance with the number of days forward from the payment due date in the current year period.
- (4) The overpayment of IPFR Spectrum Fee as referred to in section (3) is calculated using the following formula:

$$\text{Overpayment of IPFR SPECTRUM FEE} = \frac{\text{Number of IPFR Deduction Days}}{\text{Number of Days in the Current Year}} \times \text{IPFR SPECTRUM FEE of the Current Year}$$

- (5) The excess payment of IPFR Spectrum Fee as referred to in section (2) becomes an advance payment for IPFR Spectrum Fee for the following year.

Paragraph 7

Objections, Waivers, and Refunds on the Spectrum Fee for Bandwidth Licenses

Article 113

IPFR holders may file objections, waivers, and refunds of IPFR Spectrum Fee overpayments in accordance with the provisions of legislation.

Article 114

IPFR Spectrum Fee that has been paid is non-refundable in the event that the IPFR is terminated before the expiration date of the validity period on the basis of:

- a. application for IPFR termination by IPFR holder; or
- b. revocation of IPFR.

Part Three

Spectrum Fee for Apparatus License

Paragraph 1

Calculation of Tariff for Spectrum Fee for Apparatus License

Article 115

- (1) Tariff of ISR Spectrum Fee as referred to in Article 86 section (4) point b is determined based on the following formula:

$$BHP\ ISR(Rupiah) = \frac{(HDLP \times 1b \times b) + (HDDP \times 1P \times P)}{2}$$

- (2) The formula as referred to in section (1) for calculating ISR Spectrum Fee is for the usage period of 1 (one) year.
- (3) In the even that it is required to calculate the ISR Spectrum Fee for a monthly period, the formula as referred to in section (1) is multiplied by the number of calculated months divided by 12 (twelve) months.

Article 116

- (1) The Base Price of Bandwidth (Harga Dasar Lebar Pita, HDLP) in the formula as referred to in Article 115 section (1) is the base price for each use of radio frequency with Radio Frequency Bandwidth per 1 KHz.
- (2) The Base Price of Transmitting Power (Harga Dasar Daya Pancar, HDDP) in the formula as referred to in Article 115 section (1) is the base price for each transmitting power per 1 dBm for a certain Radio Frequency Channel.
- (3) The Base Price of Bandwidth (HDLP) as referred to in section (1) and Base Price of Transmitting Power (HDDP) as referred to in section (2) are determined based on the tariff fixing zone of ISR Spectrum Fee in accordance with the provisions of legislation.

- (4) The Base Price of Bandwidth (HDLP) and Base Price of Transmitting Power (HDDP) as referred to in section (3) are in accordance with the provisions of legislation.
- (5) The area stipulation within the ISR tariff fixing zone is reviewed periodically at least 1 (one) time in 5 (five) years by considering the economic aspects of a region.

Article 117

- (1) Bandwidth usage cost index (Ib) in the formula as referred to in Article 115 section (1) is an index for the use of the Radio Frequency Bandwidth based on the type of the use of Radio Frequency Spectrum.
- (2) The radio frequency transmitting power cost index (Ip) in the formula as referred to in Article 115 section (1) is an index for radio frequency transmitting power based on the Use of Radio Frequency Spectrum type.
- (3) The Bandwidth usage cost index (Ib) as referred to in section (1) and the radio frequency transmitting power cost index (Ip) as referred to in section (2) are determined based on the type of the use of Radio Frequency Spectrum.
- (4) The Bandwidth usage cost index (Ib) and the radio frequency transmitting power cost index (Ip) as referred to in section (3) is in accordance with the provisions of legislation.
- (5) The Bandwidth usage cost index (Ib) and the radio frequency transmitting power cost index (Ip) which type of the use of Radio Frequency Spectrum has not yet been stipulated by the Minister, follow the Bandwidth usage cost index (Ib) and the radio frequency transmitting power cost index (Ip), which is similar to the use of Radio Frequency Spectrum.
- (6) The Bandwidth usage cost index (Ib) as referred to in section (1), the radio frequency transmitting power cost index (Ip) as referred to in section (2), and the type of use of Radio Frequency Spectrum as referred to in section (3) can be reviewed by considering:
 - a. simplification of Radio Frequency Channel licensing;
 - b. increasing the utility and benefits of the Radio Frequency Spectrum;
 - c. changes in the technology on the use of Radio Frequency Spectrum;
 - d. economic value of Radio Frequency Spectrum;
 - e. industrial conditions of Radio Frequency Spectrum users; and/or
 - f. national strategic program.

Article 118

The number of Radio Frequency Bandwidths of all Radio Frequency Channels in 1 (one) radio station (b) and the total transmitting power output of the antenna in 1 (one) radio station (p) in the formula as referred to in Article 115 section (1) is in accordance with the data stated in the ISR.

Paragraph 2
Spectrum Fee for Space Station Apparatus License and Earth
Station Apparatus License

Article 119

- (1) Space station ISR Spectrum Fee for fixed satellite service, Broadcasting satellite service, and mobile satellite service includes all Earth Stations transmitting and/or receiving to/from satellites or Satellite Constellation System.
- (2) The method for calculating the tariff of Space Station ISR Spectrum Fee as referred to in section (1) is in accordance with the provisions of legislation.

Article 120

- (1) The amount of ISR Spectrum Fee for Earth Stations connected to satellites on fixed satellite service or satellites on Broadcasting satellite service is calculated in accordance with the Base Price of Bandwidth (HDLP) and the Base Price of Transmitting power (HDDP) with the tariff fixing zone of ISR Spectrum Fee according to the geographical position of each earth station.
- (2) The calculation method for the amount of ISR Spectrum Fee for Earth Station as referred to in section (1) is in accordance with the provisions of legislation.

Paragraph 3
Spectrum Fee for Broadcasting Apparatus License

Article 121

The base price of Bandwidth (HDLP) and the Base Price for transmitting power (HDDP) zone to calculate ISR Spectrum Fee for Broadcasting is specified based on the broadcast service area in accordance with the provisions of legislation.

Paragraph 4
Spectrum Fee for Apparatus License Extension

Article 122

ISR Spectrum Fee for ISR extension is calculated using the formula as referred to in Article 115 section (1).

Paragraph 5
Payment Fee for Spectrum Fee for Apparatus License

Article 123

- (1) ISR Spectrum Fee is required to be fully paid at the latest on the payment due date as stated in the SPP as referred to in Article 58 section (1).
- (2) SPP as referred to in section (1) can be accessed through the Radio Frequency Spectrum Licensing Service Facility at the soonest 30 (thirty) calendar days before the payment due date.
- (3) In the event that SPP is not yet or cannot be accessed through the Radio Frequency Spectrum Licensing Service Facility within the period as referred to in section (2), the

ISR applicant may request the SPP at the public service counter of the Directorate General and/or make payments for ISR Spectrum Fee before the due date of the payment.

Article 124

- (1) ISR Spectrum Fee for the second year and the following years until the validity period of ISR expires is required to be fully paid not later than the due date of payments stated in the ISR.
- (2) ISR holder may access information on the amount of ISR Spectrum Fee as referred to in section (1) through the Radio Frequency Spectrum Licensing Service Facility at the soonest 60 (sixty) calendar days prior to the due date of the payment of annual ISR Spectrum Fee.
- (3) In the event that the amount of ISR Spectrum Fee as referred to in section (2) is not yet or cannot be accessed, ISR holder may request information on the amount of ISR Spectrum Fee at the public service counter of the Directorate General and/or make payments for ISR Spectrum Fee before the due date of the payment.

Article 125

- (1) Payment of ISR Spectrum Fee as referred to in Article 123 and Article 124 is deposited into the state treasury through an automatic payment system in accordance with the provisions of legislation.
- (2) In addition to being from using an automatic payment system as referred to in section (1) the payment of ISR Spectrum Fee owned by a government institution can be made through the Office of State Treasury Service.

Article 126

The Director General issues authorization as proof of full payment of ISR Spectrum Fee.

Paragraph 6

Pooling of Payment Time on the Spectrum Fee for Apparatus License

Article 127

- (1) ISR holders who have more than 1 (one) ISR with different ISR Spectrum Fee payment time may apply for pooling of payment time of ISR Spectrum Fee to The Director General.
- (2) The pooling of payment time as referred to in section (1) is carried out without reducing the rate of ISR Spectrum Fee that must be paid and/or ISR Spectrum Fee which has been paid in the current year is non-refundable.
- (3) The process flow for the request for pooling of payment time of ISR Spectrum Fee as referred to in section (1) is stipulated by the Director General.

Paragraph 7
Objections, Waivers, and Refunds on the Spectrum Fee for
Apparatus License

Article 128

ISR holders may file objections, waivers, and refunds of ISR Spectrum Fee overpayments in accordance with the provisions of legislation.

Article 129

Spectrum Fee that has been paid is non-refundable in the event that the ISR is terminated before the expiration date of the validity period on the basis of:

- a. application for ISR termination by ISR holder; or
- b. revocation of ISR.

CHAPTER IX
OPTIMIZATION

Article 130

- (1) The Minister may perform Optimization on the Radio Frequency Spectrum that has been stipulated based on the Use of Radio Frequency Spectrum License.
- (2) Optimization as referred to in section (1) can be performed through:
 - a. migration;
 - b. refarming;
 - c. revocation of license to use Radio Frequency Spectrum; and/or
 - d. other forms in accordance with the provisions of legislation.
- (3) The implementation plan for optimization as referred to in section (1) is notified to the holder of the use of Radio Frequency Spectrum license.

Article 131

- (1) The Minister specifies a non-optimal use of Radio Frequency Spectrum based on evaluation results by taking into account the fulfillment of the obligations that have been set forth for the holder of the use of Radio Frequency Spectrum license.
- (2) The obligations as referred to in section (1) consist of the following aspects:
 - a. operation of Telecommunication network;
 - b. quality of the Telecommunication services being provided;
 - c. radio station transmission operations using a predetermined Radio Frequency Band and/or Radio Frequency Channel; and/or
 - d. Payment of Spectrum Fee.
- (3) Evaluation as referred to in section (1) is carried out using an assessment system on the obligations as referred to in section (2).
- (4) In the event that based on evaluation result as referred to in section (3) the Use of Radio Frequency Spectrum is declared

not optimal, the Minister may terminate the validity period of the Use of Radio Frequency Spectrum permit on the basis of revocation as referred to in Article 27 point c.

- (5) In the event that the validity period of the license of the Use of Radio Frequency Spectrum is terminated as referred to in section (4), the Minister may determine the transition period starting from the stipulation of the decision to terminate the validity period of the license of the Use of Radio Frequency Spectrum.
- (6) The transition period as referred to in section (5) aims to fulfill consumer protection.
- (7) The process flow for evaluating the Use of Radio Frequency Spectrum is set forth by the Director General.

Article 132

- (1) The plan to terminate the validity period of the license to use Radio Frequency Spectrum on the basis of revocation as referred to in Article 27 point a and point b and Article 68 point b and point c due to:
 - a. any greater public interests; and/or
 - b. national changes on the planning for the use of the Radio Frequency Spectrum,are submitted to the holder of the use of the Radio Frequency Spectrum license not later than 2 (two) years prior to the expiration of the validity period of the Use of Radio Frequency Spectrum license.
- (2) Public interests as referred to in section (1) point a are the interests of the nation, state and society that must be actualized by the Government and optimally used for the prosperity of the people.
- (3) Greater public interests and national changes on the planning of the Use of Radio Frequency Spectrum as referred to in section (1) point a and point b, are set forth by the Minister.
- (4) In the event that the plan to terminate the validity period of the Use of Radio Frequency Spectrum license as referred to in section (1) is submitted less than 2 (two) years, the Minister may set forth compensation for the Use of Radio Frequency Spectrum license.
- (5) Compensation as referred to in section (4) may be provided by the Minister or by new users on the Radio Frequency Spectrum that is revoked.
- (6) The forms of compensation that can be given by the Minister are:
 - a. Radio Frequency Spectrum replacement provided that it is available, by taking into account the Telecommunication Device ecosystem;
 - b. adjustment of the amount of Spectrum Fee;
 - c. cash value calculated as an advance payment for the obligation to pay Spectrum Fee for the following period; and/or
 - d. direct payment of cash value in accordance with the provisions of legislation.
- (7) Radio Frequency Spectrum replacement as referred to in section (6) point a is the Radio Frequency Spectrum for the radio communication service for the same service.

CHAPTER X
SUPERVISION ON THE USE
OF RADIO FREQUENCY SPECTRUM

Article 133

- (1) The Director General supervises on the use of Radio Frequency Spectrum.
- (2) Supervision on the use of Radio Frequency Spectrum as referred to in section (1) consists of:
 - a. administrative supervision; and/or
 - b. technical supervision.
- (3) Administrative supervision as referred to in section (2) point a is performed on the obligation fulfillment of the use of Radio Frequency Spectrum as referred to in Article 22 and Article 65.
- (4) Technical supervision as referred to in section (2) point b is performed through monitoring on the use of Radio Frequency Spectrum.
- (5) Monitoring on the use of Radio Frequency Spectrum as referred to in section (4) consists of:
 - a. routine monitoring; or
 - b. incidental monitoring.
- (6) Monitoring on the use of radio frequency spectrum as referred to in section (5) consists of the following activities:
 - a. observation on the use of radio frequency spectrum;
 - b. identification on the use of radio frequency spectrum;
 - c. measurement on radio station technical parameter; and
 - d. inspection of radio station.
- (7) The procedure for the supervision on the use of radio frequency spectrum is set forth by the Director General.

Article 134

- (1) The Director General on the behalf of the Minister monitors and controls the implementation of the transfer of rights on the use of Radio Frequency.
- (2) In carrying out monitoring as referred to in section (1), the Director General may coordinate with relevant ministries/institutions.
- (3) Monitoring is carried out to ensure the suitability of the transfer of rights on the use of Radio Frequency Spectrum for the purposes and/or principles of the transfer of rights on the use of Radio Frequency Spectrum.
- (4) In the event that based on the results of the monitoring there is an inconsistency with the objectives and/or principles of the transfer of right on the use of Radio Frequency Spectrum, the Telecommunication provider performing the transfer of right on the use of Radio Frequency is imposed with administrative sanctions.

Article 135

- (1) The Director General on the behalf of the Minister monitors and control the implementation of the cooperation on the use of Radio Frequency Spectrum at least 1 (one) time in 1 (one) year.

- (2) In carrying out supervision as referred to in section (1), The Director General may coordinate with relevant ministries/institutions.
- (3) Supervision is carried out to ensure the suitability of cooperation on the use of Radio Frequency Spectrum with the purposes and/or principles of such cooperation.
- (4) In the event that based on the results of the supervision there is an inconsistency in the objectives and principles of cooperation on the use of Radio Frequency Spectrum, Telecommunication operator performing the cooperation on the use of Radio Frequency Spectrum is imposed with administrative sanctions in accordance with legislation.

Article 136

In the event that based on the supervision results as referred to in Article 133, Article 134, and/or Article 135 a breach of obligations is identified as referred to in Article 22 section (1) or Article 65, administrative sanctions will be imposed.

CHAPTER XI ADMINISTRATIVE SANCTIONS

Article 137

The imposition of administrative sanctions as referred to in Article 136 is set forth by the Director General or State Civil Apparatuses granted with authority in accordance with the provisions of legislation.

Article 138

- (1) Individual or business entity using Radio Frequency Spectrum without any license on the use of Radio Frequency Spectrum is imposed with administrative sanctions in the form of:
 - a. written reprimand;
 - b. administrative fine; and
 - c. imposition of police forcing power.
- (2) Administrative sanction as referred to in section (1) is imposed cumulatively and concurrently.
- (3) Administrative sanction of written reprimand as referred to in section (1) point a contains order to terminate the use of Radio Frequency Spectrum and to immediately submit application on the use of Radio Frequency Spectrum.
- (4) The imposition of police forcing power administrative sanction as referred to in section (1) point c is in the following actions:
 - a. termination of the Radio Frequency Spectrum transmission operation; and/or
 - b. confiscation of Telecommunication Equipment and/or Telecommunication Device used for transmitting Radio Frequency Spectrum.
- (5) Termination of the Radio Frequency Spectrum transmission operation as referred to in section (4) point a can be implemented using security measures by sealing the Radio Transmitter, whether in the location of the Radio Transmitter or by bringing them to the Office.

Article 139

- (1) Individual or business entity that is imposed with and has fulfilled the implementation of administrative sanction as referred to in Article 138 section (1), may submit an application of the use of Radio Frequency Spectrum License to the Minister.
- (2) In the event that the individual or business entity has obtained license on the use of Radio Frequency Spectrum from the Minister, the Director General may revoke the administrative sanction of the imposition of police forcing power as referred to in Article 138 section (4).

Article 140

- (1) IPFR holders who fail to fulfill their obligation in the use of certified Telecommunication Equipment and/or Telecommunication Device in accordance with the provisions of legislation as referred to in Article 22 section (1) point a is imposed with administrative sanction in the form of:
 - a. written reprimand;
 - b. termination of the use of non-certified Telecommunication Equipment and/or Telecommunication Device; and
 - c. administrative fine.
- (2) Administrative sanction as referred to in section (1) is imposed cumulatively and concurrently.
- (3) Administrative sanction of written reprimand as referred to in section (1) point a contains order to immediately:
 - a. terminate the use of non-certified Telecommunication Equipment and/or Telecommunication Device; and
 - b. submit application for certified Telecommunication Equipment and/or Telecommunication Device.
- (4) Administrative sanction in the form of ceasing the use of non-certified Telecommunication Equipment and/or Telecommunication Device as referred to in section (1) point b can be implemented using security measures by sealing the Telecommunication Equipment and/or Telecommunication Device, whether in the location of the Telecommunication Equipment and/or Telecommunication Device, or by bringing them to the Office.

Article 141

In the event that IPFR holder has obtained certified Telecommunication Equipment and/or Telecommunication Device, the Director General may revoke the administrative sanction of the termination on the use of Telecommunication Equipment and/or Telecommunication Device as referred to in Article 140 section (1) point b.

Article 142

- (1) IPFR holder who is declared as selection winner and fails to fulfill the required obligations as stated in the selection document as referred to in Article 22 section (1) point b and section (2) is imposed with administrative sanctions in the form of:

- a. written reprimand;
 - b. administrative fine; and/or
 - c. announcement through printed media and/or electronic media.
- (2) The required obligations stated in the selection document as referred to in section (1) is exempted for the obligation to pay Spectrum Fee.
 - (3) Administrative sanction of written reprimand as referred to in section (1) point a is given 3 (three) times with a grace period of 14 (fourteen) Days.
 - (4) Written reprimand as referred to in section (3) is imposed gradually within 14 (fourteen) Days interval between reprimands.
 - (5) Written reprimand as referred to in section (3) contains warning to immediately fulfill the required obligations stated in the selection document.
 - (6) In the event that until the deadline of the third written reprimand as referred to in section (3), IPFR holder has not yet fulfilled the required obligations stated in the selection document, the administrative fine sanction as referred to in section (1) point b is imposed.
 - (7) In the event that after 30 (thirty) calendar days, the IPFR holder imposed with administrative fine sanction as referred to in section (5) has not yet fulfilled the required obligations stated in the selection document and/or has not yet fulfilled the obligation to pay the administrative fine, the administrative sanction will be imposed in the form of announcement in printed media and/or electronic media.

Article 143

- (1) IPFR holder who fails to fulfill the obligation to periodically report the use of Radio Frequency Band as referred to in Article 22 section (1) point c is imposed with administrative sanctions in the form of:
 - a. written reprimand;
 - b. termination of licensing service on the use of Radio Frequency Spectrum; and/or
 - c. announcement through printed media and/or electronic media.
- (2) Administrative sanction of written reprimand as referred to in section (1) point a is given 3 (three) times with a grace period of 14 (fourteen) Days.
- (3) Written reprimand as referred to in section (2) is imposed gradually within 14 (fourteen) Days interval between reprimands.
- (4) Written reprimand as referred to in section (2) contains warning to submit report on the use of Radio Frequency Band periodically to the Director General.
- (5) In the event that until the deadline of the third written reprimand as referred to in section (2), IPFR holder has not yet submitted the report on the use of Radio Frequency Band as referred to in section (1), the holder is imposed with administrative sanctions in the form of:

- a. termination of licensing service of use of Radio Frequency Spectrum as referred to in section (1) point b; and
 - b. announcement through printed media and/or electronic media as referred to in section (1) point c.
- (6) Administrative sanction as referred to in section (5) point a is revoked in the event that IPFR holder has submitted report on the use of Radio Frequency Band.

Article 144

- (1) IPFR holder who fails to fulfill the obligation to settle IPFR Spectrum Fee until the deadline as referred to in Article 22 point d is imposed with administrative sanction in the form of:
- a. written reprimand;
 - b. administrative fine for late payment of the owed non-tax state revenue in accordance with the provisions of legislation;
 - c. termination of licensing service on the use of Radio Frequency Spectrum;
 - d. temporary termination of the operational use of Radio Frequency Spectrum; and/or
 - e. revocation of IPFR.
- (2) Administrative sanctions in the form of written reprimand and administrative fine as referred to in section (1) point a and point b are imposed in accordance with the provisions of legislation.
- (3) Written reprimand as referred to in section (1) point a contains information on the billing of the owed IPFR Spectrum Fee and penalty of late payment of IPFR Spectrum Fee.
- (4) Written reprimand as referred to in section (3) is given under the following provisions:
- a. the first written reprimand is given not later than 1 (one) Day as of the due date of the owed IPFR Spectrum Fee payment;
 - b. if within 1 (one) month after the first written reprimand the IPFR holder has not settled the owed IPFR Spectrum Fee payment along with the administrative fine for late payment of IPFR Spectrum Fee, a second written reprimand is given; and
 - c. if within 2 (two) months after the second written reprimand the IPFR holder has not settled the owed IPFR Spectrum Fee payment along with the administrative fine for late payment of IPFR Spectrum Fee, a third written reprimand is given.
- (5) Administrative sanction in the form of termination of licensing service on the use of Radio Frequency Spectrum as referred to in section (1) point c is imposed at the same time as the first written reprimand.
- (6) If within 3 (three) months after the due date of the owed IPFR Spectrum Fee payment, the IPFR holder has not yet settled the IPFR Spectrum Fee and/or administrative fine as referred to in section (1) point b, the holder is imposed with administrative sanction in the form of temporary

termination of the operation of the Use of Radio Frequency Spectrum as referred to in section (1) point d.

- (7) If within 6 (six) months after the due date of the owed IPFR Spectrum Fee payment, the IPFR holder has not yet settled the IPFR Spectrum Fee and/or administrative fine as referred to in section (1) point b, the holder is imposed with administrative sanction in the form of revocation of IPFR as referred to in section (1) point e.

Article 145

- (1) IPFR holder who fails to fulfill the obligation on the use of Radio Frequency Spectrum in accordance with its designation as referred to in Article 22 point e is imposed with administrative sanctions in the form of:
 - a. written reprimand;
 - b. administrative fine; and
 - c. temporary termination of Radio Station operation that is not in accordance with its designation.
- (2) Administrative sanctions as referred to in section (1) are imposed cumulatively and concurrently.
- (3) Administrative sanction in the form of written reprimand as referred to in section (1) point a contains order to immediately terminate the transmission of Radio Frequency Spectrum and adjust it with its designation.
- (4) Administrative sanction in the form of temporary termination of radio station operation as referred to in section (1) point c can be implemented using security measure by sealing the Radio Transmitter, whether in the location of Radio Transmitter or by bringing them to the Office.

Article 146

In the event that IPFR holder has adjusted the use of Radio Frequency Spectrum in accordance with its designation, the Director General may revoke administrative sanction of temporary termination of radio station operation as referred to in section (1) point c.

Article 147

- (1) IPFR holder who violates the obligation on the use of Radio Frequency Spectrum that does not cause harmful interference as referred to in Article 22 point f is imposed with administrative sanction in the form of:
 - a. written reprimand; and
 - b. temporary termination of Radio Station operation that cause harmful interference.
- (2) Administrative sanction as referred to in section (1) is imposed cumulatively and concurrently.
- (3) Administrative sanction in the form of written reprimand as referred to in section (1) point a contains order to:
 - a. make adjustment on the technical provisions of Radio Frequency Spectrum transmission; and
 - b. temporary termination of Radio Station operation.
- (4) Administrative sanction in the form of Temporary termination of Radio Station operation administrative

sanction as referred to in section (1) point c can be implemented using security measures by sealing the Radio Transmitter, whether in the location of the Radio Transmitter, or by bringing them to the police station.

Article 148

In the event that the use of Radio Frequency Spectrum by IPFR holder is no longer causing harmful interference, the Director General may revoke the administrative sanction in the form of temporary termination of radio station operation as referred to in section (1) point b.

Article 149

- (1) IPFR holder who violates obligation to obtain approval from the Minister prior to establishing cooperation on the use of Radio Frequency Spectrum as referred to in Article 22 point g is imposed with administrative sanctions in the form of:
 - a. written reprimand;
 - b. administrative fine;
 - c. termination of cooperation on the use of Radio Frequency Spectrum; and/or
 - d. revocation of IPFR.
- (2) Administrative sanction as referred to in section (1) point a, point b, and point c is imposed cumulatively and concurrently.
- (3) In the event that after 30 (thirty) calendar days the IPFR holder imposed with administrative sanctions as referred to in section (1) point a, point b, and point c, has not submitted application for approval to the Minister, settle the administrative fine, and/or terminate the cooperation on the use of Radio Frequency Spectrum, the holder is imposed with revocation of IPFR administrative sanction as referred to in section (1) point d.
- (4) Administrative sanction in the form of written reprimand as referred to in section (1) point a is given 1 (one) time with grace period of 30 (thirty) calendar days.
- (5) Written reprimand as referred to in section (4) contains order to terminate cooperation on the use of Radio Frequency Spectrum and to submits application on approval for cooperation on the use of Radio Frequency Spectrum to the Minister.
- (6) Administrative sanction in the form of termination of cooperation on the use of Radio Frequency Spectrum as referred to in section (1) point c can be implemented using security measures by sealing the Radio Transmitter, whether in the location of the Radio Transmitter, or by bringing them to the Office.

Article 150

In the event that IPFR holder has obtained approval on cooperation on the use of Radio Frequency Spectrum from the Minister, the Director General may revoke administrative sanction in the form of termination of cooperation on the use of Radio Frequency Spectrum as referred to in Article 149 section (6).

Article 151

- (1) IPFR holder who violates the obligation to obtain approval from the Minister before performing the transfer of right on the use of Radio Frequency Spectrum as referred to in Article 22 point h is imposed with administrative sanctions in the form of:
 - a. written reprimand;
 - b. administrative fine;
 - c. termination of licensing service on the use of Radio Frequency Spectrum;
 - d. temporary termination of the operational use of Radio Frequency Band; and/or
 - e. revocation of IPFR.
- (2) Administrative sanction as referred to in section (1) point a to point d is imposed cumulatively and concurrently.
- (3) In the event that after 30 (thirty) calendar days the IPFR holder imposed with administrative sanction as referred to in section (1) point a to point d has not submitted application for approval to the Minister, settle the administrative fine, and/or temporarily terminate the use of Radio Frequency Band operation, the holder is imposed with revocation of IPFR administrative sanction as referred to in section (1) point e.
- (4) Administrative sanction in the form of written reprimand as referred to in section (1) point a is given 1 (one) time.
- (5) Written reprimand as referred to in section (4) contains order to cancel the transfer of right on the use of Radio Frequency Spectrum and to submit application for approval on transfer of right on the use of Radio Frequency Spectrum to the Minister.
- (6) Administrative sanction in the form of temporary termination of operational use of Radio Frequency Band as referred to in section (1) point d can be implemented using security measures by sealing the Radio Transmitter, whether in the location of the Radio Transmitter, or by bringing them to the Office.

Article 152

In the event that IPFR holder has obtained approval for the transfer of right on the use of Radio Frequency Spectrum from the Minister, the Director General may revoke the administrative sanction in the form of termination of cooperation on the use of Radio Frequency Spectrum as referred to in section (1) point c.

Article 153

- (1) IPFR holder who violates the obligation to optimally use Radio Frequency Spectrum as referred to in Article 22 section (1) point i is imposed with administrative sanctions in the form of:
 - a. written reprimand; and/or
 - b. revocation of IPFR.
- (2) Administrative sanction of written reprimand as referred to in section (1) point a is given 3 (three) times with grace period of 30 (thirty) calendar days.

- (3) Written reprimand as referred to in section (2) is imposed gradually with interval between written reprimands namely 30 (thirty) calendar days.
- (4) Written reprimand as referred to in section (2) contains warning ordering the IPFR holder to use optimally Radio Frequency Spectrum.
- (5) In the event that until the deadline of the third written reprimand as referred to in section (2), IPFR holder has not yet optimally use Radio Frequency Spectrum, the holder is imposed with administrative sanction of revocation of IPFR as referred to in section (1) point b.

Article 154

- (1) IPFR holder performing the transfer of right on the use of Radio Frequency Spectrum but not in accordance with the principles as referred to in Article 15 section (5) and/or purposes as referred to in Article 16 section (2) or section (4) is imposed with administrative sanctions in the form of:
 - a. written reprimand; and/or
 - b. revocation of approval on the transfer of right on the use of Radio Frequency Spectrum.
- (2) Written reprimand as referred to in section (1) point a is given 3 (three) times at the most with grace period of 14 (fourteen) calendar days.
- (3) Written reprimand as referred to in section (2) is imposed gradually with 14 (fourteen) Days interval between reprimands.
- (4) In the event that the IPFR holder imposed with administrative sanction of written reprimand as referred to in section (2) until the deadline of the third written reprimand has not yet adjust with the principles and/or purposes of the transfer of right on the use of Radio Frequency Spectrum, the holder is imposed with administrative sanction of revocation of approval on transfer of right on the use of Radio Frequency Spectrum.

Article 155

- (1) IPFR holder who establishes cooperation on the use of Radio Frequency Spectrum but not in accordance with the purposes and/or principles of cooperation as referred to in Article 79 section (6) and section (7) is imposed with administrative sanction in the form of:
 - a. written reprimand;
 - b. administrative fine; and/or
 - c. revocation of approval on cooperation on the use of Radio Frequency Spectrum.
- (2) Written reprimand as referred to in section (1) point a is given 3 (three) times at the most with grace period of 14 (fourteen) calendar days.
- (3) Written reprimand as referred to in section (2) is imposed gradually with 14 (fourteen) calendar days interval between reprimands.
- (4) In the event that IPFR holder imposed with written reprimand as referred to in section (2) until the deadline of the third written reprimand has not adjusted the principles

and/or purposes of cooperation on the use of Radio Frequency Spectrum, the holder is imposed with administrative sanction in the form of administrative fine as referred to in section (1) point b.

- (5) In the event that IPFR holder imposed with administrative sanction of administrative fine as referred to in section (3) until the period of 30 (thirty) calendar days as of the imposition of administrative fine fails to pay such administrative fine and/or has not adjusted the principles and/or purposes of cooperation on the use of Radio Frequency Spectrum, the holder is imposed with sanction of revocation of approval on the cooperation on the use of Radio Frequency Spectrum.

Article 156

- (1) ISR holder who intentionally submits incorrect data and/or invalid documents in the fulfillment of ISR requirements is imposed with administrative sanctions in the form of:
 - a. written reprimand;
 - b. termination of licensing service on the use of Radio Frequency Spectrum;
 - c. temporary termination of operational transmission of Radio Frequency Spectrum; and/or
 - d. revocation of ISR.
- (2) Administrative sanction as referred to in section (1) point a and point b is subject to cumulatively and concurrently.
- (3) Written reprimand as referred to in section (1) point a contains order to provide proof on the correctness of data and/or validity of documents.
- (4) If within 14 (fourteen) calendar days since the written reprimand is given, the ISR holder fails to provide proof on the correctness of data and/or validity of documents, the holder is imposed with administrative sanction in the form of temporary termination of operational transmission of Radio Frequency Spectrum as referred to in section (1) point c for 1 (one) month.
- (5) Temporary termination of the operational transmission of Radio Frequency Spectrum is imposed only on radio station with no proof of data correctness and/or document validity.
- (6) Administrative sanction in the form of temporary termination of operational transmission of Radio Frequency Spectrum as referred to in section (1) point c is implemented using security measures by sealing radio transmitter frequency spectrum devices.
- (7) In the event that until the deadline of 1 (one) month as referred to in section (4) the ISR holder fails to provide proof on the correctness of data and/or validity of documents, the holder is imposed with administrative sanction of revocation of ISR as referred to in section (1) point d.

Article 157

- (1) In the event that ISR holder is able to prove the data correctness and/or documents validity, the Director General may revoke administrative sanction in the form of termination of licensing service of Radio Frequency Spectrum as referred to in section (1) point b.

- (2) In the event that the ISR holder can prove the data correctness and/or documents validity within the period as referred to in Article 156 section (4), the Director General may revoke administrative sanction in the form of temporary termination of operational transmission of Radio Frequency Spectrum as referred to in section (1) point c.

Article 158

- (1) ISR holder who fails to fulfill the obligations of settling ISR Spectrum Fee until the deadline as referred to in Article 65 point a is imposed with administrative sanctions in the form of:
 - a. written reprimand;
 - b. administrative fine of delay payment of owed non-tax state revenue in accordance with the provisions of legislation;
 - c. termination of licensing service on the use of Radio Frequency Spectrum;
 - d. temporary termination of Radio Station operation; and/or
 - e. revocation of ISR.
- (2) Administrative sanctions in the form of written reprimand and administrative fine as referred to in section (1) point a and point b are imposed in accordance with the provisions of legislation.
- (3) Written reprimand as referred to in section (1) point a contains information on the owed ISR Spectrum Fee billing and the fine for late payment of ISR Spectrum Fee.
- (4) Written reprimand as referred to in section (3) is given based on the following provisions:
 - a. the first written reprimand is given not later than 1 (one) Day as of the due date of the owed ISR Spectrum Fee payment;
 - b. if within 1 (one) month after the first written reprimand the ISR holder has not yet settled the owed ISR Spectrum Fee payment along with the administrative fine of late payment of ISR Spectrum Fee, a second written reprimand issued; and
 - c. if within 2 (two) months after the second written reprimand ISR holder has not yet settled the owed ISR Spectrum Fee payment along with the administrative fine of late payment of ISR Spectrum Fee, a third written reprimand issued.
- (5) Administrative sanction of termination of licensing service on the use of Radio Frequency Spectrum as referred to in section (1) point c is imposed at the same time as the first written reprimand.
- (6) If within 3 (three) months since the due date of the owed ISR Spectrum Fee payment, ISR holder has not yet settled ISR Spectrum Fee and/or administrative fine as referred to in section (1) point b, the holder is imposed with administrative sanction in the form of temporary termination of Radio Station operation as referred to in section (1) point d.

- (7) If within 6 (six) months since the due date of the owed ISR Spectrum Fee payment, ISR holder has not yet settled BHP ISR and/or administrative fine as referred to in section (1) point b, the holder is imposed with administrative sanction in the form of revocation of ISR as referred to in section (1) point e.

Article 159

- (1) ISR holder for specific communication radio service as referred to in Article 3 section (1) who fails to fulfill the obligation to use the correct and valid identification signal or radio station identity on each transmission of the Radio Frequency Spectrum as referred to in Article 65 point b is imposed with administrative sanction in the form of:
 - a. written reprimand;
 - b. temporary termination of Radio Station operation; and/or
 - c. revocation of ISR.
- (2) Administrative sanction in the form of written reprimand as referred to in section (1) point a is given 3 (three) times with grace period of 14 (fourteen) calendar days.
- (3) Written reprimand as referred to in section (2) contains order to use the correct and valid identification signal or Radio Station identity on each transmission of Radio Frequency Spectrum.
- (4) If within 14 (fourteen) calendar days after the written reprimand is given the ISR holder remains not using the correct and valid identification signal or Radio Station identity on each transmission of Radio Frequency Spectrum, the holder is imposed with administrative sanction in the form of temporary termination of Radio Station operation as referred to in section (1) point b for 30 (thirty) calendar days.
- (5) Administrative sanction in the form of temporary termination of Radio Station operation as referred to in section (4) can be implemented using security measures by sealing the Radio Transmitter, whether in the location of the Radio Transmitter, or by bringing them to the Office.
- (6) If at the time the period of temporary termination of radio station operation as referred to in section (4) ends, ISR holder remains not using the correct and valid identification signal or radio station identity on each transmission of Radio Frequency Spectrum, the holder is imposed with administrative sanction of revocation of ISR.

Article 160

In the event that the ISR holder has used the correct and valid identification signal or radio station identity on each transmission of Radio Frequency Spectrum, the Director General may revoke administrative sanction in the form of temporary termination of Radio Station operation as referred to in Article 159 section (4).

Article 161

- (1) ISR holder who fails to fulfill the obligation to use Radio Frequency Spectrum in accordance with its designation as referred to in Article 65 point c and/or to operate Radio Station in accordance with technical parameter as set forth in ISR as referred to in Article 65 point f, is imposed with administrative sanction in the form of:
 - a. written reprimand;
 - b. administrative fine; and
 - c. temporary termination of Radio Station operation which is non-compliance with its designation and/or non-compliance with the technical parameter.
- (2) Administrative sanction as referred to in section (1) is imposed cumulatively and concurrently.
- (3) Administrative sanction in the form of written reprimand as referred to in section (1) point a contains order to immediately terminate the transmission of Radio Frequency Spectrum and adjust it with its designation and/or adjust it with the technical parameter as set forth in the ISR.
- (4) Administrative sanction in the form of temporary termination of Radio Station operation as referred to in section (1) point c can be implemented using security measures by sealing the Radio Transmitter, whether in the location of the Radio Transmitter, or by bringing them to the Office.

Article 162

In the event that ISR holder has adjusted the Use of Radio Frequency Spectrum in accordance with its designation and/or operate Radio Station in accordance with the technical parameter as set forth in the ISR, The Director General may revoke administrative sanction of temporary cessation of Radio Station operation as referred to in Article 161 section (4).

Article 163

- (1) ISR holder who fails to fulfill the obligation to use Radio Frequency Spectrum that does not cause harmful interference as referred to in Article 65 point g is subject to administrative sanction in the form of:
 - a. written reprimand; and
 - b. temporary cessation of Radio Station operation causing harmful interference.
- (2) Administrative sanction as referred to in section (1) is imposed cumulatively and concurrently.
- (3) Administrative sanction in the form of written reprimand as referred to in section (1) point a contains order to make adjustment on the technical provision of Radio Frequency Spectrum transmission and temporary cessation of Radio Station operation.
- (4) Administrative sanction in the form of temporary termination of Radio Station operation as referred to in section (1) point c can be implemented using security measures by sealing the Radio Transmitter, whether in the location of the Radio Transmitter, or by bringing them to the Office.

Article 164

In the event that the use of Radio Frequency Spectrum by ISR holder no longer causes harmful interference, the Director General may revoke administrative sanction in the form of temporary termination of Radio Station operation as referred to in Article 163 section (4).

Article 165

- (1) Space ISR holder who fails to fulfill the obligation to register earth station periodically each year as referred to in Article 65 point h is imposed with administrative sanction in the form of:
 - a. written reprimand;
 - b. administrative fine;
 - c. temporary termination of unregistered earth station operation; and/or
 - d. revocation of ISR.
- (2) Administrative sanction in the form of written reprimand as referred to in section (1) point a is given 3 (three) times with grace period of 14 (fourteen) calendar days.
- (3) Written reprimand as referred to in section (2) is imposed gradually with 14 (fourteen) calendar days interval between written reprimands.
- (4) Written reprimand as referred to in section (2) contains order to register earth station periodically each year.
- (5) In the event of reaching the deadline of the first written reprimand, the ISR holder has not registered the earth station, the holder is imposed with administrative sanctions in the form of:
 - a. administrative fine as referred to in section (1) point b; and
 - b. temporary termination of unregistered earth station operation as referred to in section (1) point c for 30 (thirty) calendar days.
- (6) Administrative sanction in the form of temporary termination of unregistered earth station operation as referred to in section (4) point b can be implemented using security measures by sealing the earth station, whether in the location of the Base Station, or by bringing them to the Office.

Article 166

- (1) In the event that space ISR holder has registered the earth station, the Director General may revoke administrative sanction of temporary termination of unregistered Radio Station operation as referred to in Article 165 section (6).
- (2) In the event of reaching the deadline as referred to in Article 165 section (5) point b, the ISR holder has not registered the earth station, the holder is imposed with administrative sanction of revocation of ISR as referred to in Article 165 section (1) point d.

Article 167

ISR holder who submits consecutive application within 14 (fourteen) Days and fails to make payment of ISR Spectrum Fee for all the issued SPP is imposed with administrative sanction of termination of licensing service of Radio Frequency Spectrum within 1 (one) month.

Article 168

- (1) The imposition of administrative sanction in the form of administrative fine as referred to in Article 138, Article 140, Article 142, Article 145, Article 149, Article 151, Article 155, Article 161, and Article 165 is calculated based on the unit of violation points multiplied by the administrative fine rate.
- (2) Violation points and administrative fine rate as referred to in section (1) are in accordance with the provisions of legislation.
- (3) Stipulation on the amount of administrative sanction of administrative fine as referred to in section (1) is issued by the Director General in the form of payment notice, which at least contains the amount of administrative fine and the due date of the payment.

Article 169

Further provisions regarding the procedure of the imposition of administrative sanction are determined by the Director General.

Article 170

- (1) The holder of the use of Radio Frequency Spectrum license experiencing adverse effect on the imposition of administrative sanction may file for an administrative appeal to the superior of the government official who stipulates and/or impose the administrative sanction.
- (2) Administrative appeal as referred to in section (1) does not postpone the implementation of administrative sanction, unless:
 - a. it is stated otherwise by the law; and
 - b. it is causing a greater detrimental effect.
- (3) Filing for administrative appeal as referred to in section (1) is not charged.

Article 171

- (1) Administrative appeal as referred to in Article 170 section (1) can be filed within a maximum of 10 (ten) Days since the administrative sanction is received.
- (2) Administrative appeal as referred to in section (1) is filed in written to the superior of the government official who stipulates and/or impose the administrative sanction, by attaching valid and correct documents to prove the filed administrative appeal.
- (3) In the event that the administrative appeal as referred to in section (1) is granted, the superior of the government official who stipulates and/or impose the administrative sanction is obligated to stipulate a decision in accordance with the filing of administrative appeal.
- (4) The superior of the government official who stipulates and/or impose the administrative sanction settles the administrative appeal within a maximum of 10 (ten) Days.
- (5) In the event that the superior of the government official who stipulates and/or impose the administrative sanction fails to settle the administrative appeal within the period as referred to in section (4), the administrative appeal is deemed granted.

- (6) The superior of the government official who stipulates and/or impose the administrative sanction is obligated to stipulate a decision in accordance with the filing within a maximum of 5 (five) Days after the end of the grace period as referred to in section (4).

CHAPTER XII MISCELLANEOUS PROVISIONS

Article 172

- (1) Application for license on the use of Radio Frequency Spectrum for the purpose of national defense is submitted by the Minister administering government affairs in the field of defense.
- (2) Application for license on the use of Radio Frequency Spectrum for the purpose of state security is submitted by the Head of the State Police of the Republic of Indonesia.
- (3) Application for license on the use of Radio Frequency Spectrum for national defense and/or national security purposes other than the those as referred to in section (1) and section (2) are submitted by the ministers/heads of other related institutions in accordance with the provisions of legislation.
- (4) License on the use of Radio Frequency Spectrum for the purposes of national defense and national security as referred to in section (1), section (2), and section (3) is stipulated through a letter of approval of the use of Radio Frequency Spectrum by the Director General.

Article 173

- (1) The Directorate General performs the management and utilization of Radio Frequency Spectrum licensing data for the purposes of:
 - a. improvement of the quality of public services licensing the Use of Radio Frequency Spectrum;
 - b. formulation of policies on the use of the Radio Frequency Spectrum;
 - c. data integration and collaboration with relevant government institutions; and
 - d. supervision and control of the use of Radio Frequency Spectrum.
- (2) The licensing data for the use of Radio Frequency Spectrum are classified as follows:
 - a. basic data;
 - b. processed data; and
 - c. general data.
- (3) The basic data as referred to in section (2) point a are used for the operational purposes of the Directorate General.
- (4) Processed data as referred to in section (2) point b can be used by Radio Frequency Spectrum users who have obtained approval from the Director General.
- (5) General data as referred to in section (2) point c can be accessed by the public through the online website of the Directorate General.

- (6) The procedure for processing and utilization licensing data of the use of Radio Frequency Spectrum is stipulated by the Director General.

CHAPTER XIII TRANSITIONAL PROVISIONS

Article 174

The use of Radio Frequency Spectrum licensing service remains to be implemented through the licensing service of the Directorate General until the establishment of the Radio Frequency Spectrum Licensing Service Facility based on this Ministerial Regulation.

CHAPTER XIV CLOSING PROVISIONS

Article 175

Radio Frequency Spectrum Licensing Service Facility as referred to in Article 174 is established not later than 6 (six) months since this Ministerial Regulation comes into force.

Article 176

At the time this Ministerial Regulation comes into force, the Regulation of the Minister of Communications and Informatics Number 9 of 2018 on the Operational Provisions and the Licensing Procedure of the Use of Radio Frequency Spectrum (State Bulletin of the Republic of Indonesia of 2018 Number 1142), is repealed and declared ineffective.

Article 177

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

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

Issued 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 LEGISLATION OF
MINISTRY OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

signed

WIDODO EKATJAHJANA

STATE BULLETIN OF THE REPUBLIC OF INDONESIA OF 2021 NUMBER 305

Jakarta, 4 April 2024
Has been translated as an Official Translation
on behalf of the Minister of Law and Human Rights
of the Republic of Indonesia
DIRECTOR GENERAL OF LEGISLATION,

