



**DEPARTMENT OF COMMUNICATIONS
DIRECTORATE GENERAL OF POST AND ELECOMMUNICATIONS**

**GOVERNMENT REGULATION NO.53 OF 2000
THE USE OF A RADIO FREQUENCY SPECTRUM AND
SATELLITE ORBIT**

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**ISSUED BY:
DIRECTORATE GENERAL OF POST AND ELECOMMUNICATIONS
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GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA

NUMBER 53 YEAR 2000

CONCERNING

THE USE OF A RADIO FREQUENCY SPECTRUM AND SATELLITE ORBIT

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

Considering : That in the framework of implementing the provisions on the a radio frequency spectrum and satellite orbit as regulated in Law No. 36/1999 on the telecommunications, it is deemed necessary to stipulate a government regulation on the use of a radio frequency spectrum and satellite orbit;

Recognizing : 1. Article 5 paragraph 2 of the Constitution of 1945;
2. The law No. 36/1999 on Telecommunications (Statute Book No. 154/1999. Supplement to Statute Book No. 3881);

RESOLVES:

To stipulate : GOVERNMENT REGULATION ON THE USE OF A RADIO FREQUENCY SPECTRUM AND SATELLITE ORBIT

**CHAPTER I
GENERAL PROVISIONS**

Article 1

Referred to in this government regulations as:

1. Telecommunications is any transmission, transmission, emission and/or reception of signs, signals, writings, images and sounds or intelligence of any nature by wire, *radio*, optical or other electromagnetic systems;
2. Telecommunications device is any devices and/or instrument used to provide telecommunications;
3. Telecommunications equipment is a group of telecommunications devices which enables one to conduct telecommunications;

4. Radio transmitter is a telecommunications device that uses and transmits radio waves;
5. Telecommunications network is a series of telecommunications equipment and peripherals used in telecommunications;
6. Telecommunications services are the provision of telecommunications to meet the telecommunications needs using telecommunications network;
7. Telecommunications operator is an individual, cooperative, regional-owned business enterprise (BUMD), state-owned business enterprise (BUMN), private enterprises, government agency, and state defense and security agency;
8. Telecommunications operations is the activity of providing and telecommunications services to enable the operation of telecommunications;
9. A satellite is an object moving in the outer space and moving around the earth, serving as a radio station receiving and transmitting or re-transmitting and or receiving, processing and re-transmitting radio communications signals;
10. Radio station is a transmitter or receiver sets or combination of transmitter and receiver sets, including the equipment needed at one location to establish radio communications;
11. Radio communication is telecommunications using radio waves;
12. Satellite orbit is a path in the outer space passed by the center of the mass of satellite;
13. Radio frequency spectrum is group of radio frequency bands;
14. Radio frequency band is a part of radio frequency spectrum with a particular width;
15. Radio frequency channel is a part of radio frequency band stipulated for a radio station;
16. Radio frequency allocation shall be mentioning of particular frequency band in a frequency allocation table for the use of one or more terrestrial radio communication services or outer-space radio communications services or astronomical radio services on the basis of certain requirements. This term of allocation also applied to further division of the above-mentioned frequency band for each kind of service;
17. The assignment of a radio frequency band or a radio frequency channel shall be an authority granted to a radio station to use a radio frequency or a radio frequency canal on the basis of certain requirements;
18. The minister shall be the minister whose scope of duty and responsibility shall be in the telecommunications area.

**CHAPTER II
REGULATION
Article 2**

Regulation of the use of a radio frequency spectrum and satellite orbit shall be undertaken by the minister.

Article 3

- (1) In implementing fostering as meant in Article 2, the Minister shall undertake the functions of policy stipulation, regulation, supervision and control.
- (2) The functions of policy stipulation, regulation, supervision and control as meant in sub-article (1) shall at least encompass:
 - a. Planning the use of a radio frequency and the location of satellite in the orbit;
 - b. Stipulation of the priority in the use of a radio frequency spectrum;
 - c. Efficient use of a radio frequency spectrum and the location of a satellite in the orbit;
 - d. Licensing for the use of a radio frequency spectrum and the location of a satellite in the orbit;
 - e. Research and development on the use of a radio frequency spectrum and the location of a satellite in the orbit in line with the development of technological advances;
 - f. Coordination in the use of radio frequencies and the location of a satellite in the orbit in the framework of supporting national interests;
 - g. Monitoring, observation and re-ordering the use of a radio frequency spectrum.

**CHAPTER III
RADIO FREQUENCY SPECTRUM
First Part
Planning
Article 4**

- In planning the use of a radio frequency spectrum the following must be observed:
- a. Preventing mutual disturbances;
 - b. Efficiency and economy;
 - c. Technological development;
 - d. The need for a radio frequency spectrum in the future; and/or
 - e. Prioritizing the interest of the state's defense and security, safety and distress, search and rescue, social welfare and public interests.

Article 5

- (1) The planning as meant in Article 4 shall be expressed in a radio frequency allocation table.
- (2) The provision on the radio frequency allocation table as meant in sub-article (1) shall be stipulated in a ministerial decree.

Article 6

Planning the use of a radio frequency spectrum shall encompass:

- a. Planning the use of a radio frequency band (band plan); and
- b. Planning the use of radio frequency channel (channeling plan).

Second Part

Use

Article 7

- (1) The use of a radio frequency by a vessel with a foreign flag operating in Indonesia's territorial waters shall only be for the following purposes:
 - a. incoming reports; and
 - b. outgoing reports.
- (2) The incoming reports as meant in sub-article (1) letter a shall be made prior to the said vessel with a foreign flag entering Indonesia's territorial waters.
- (3) The outgoing reports as meant in sub-article (1) letter b shall be made at the time the said vessel with a foreign flag leaves Indonesia's territorial waters.

Article 8

- (1) The use of a radio frequency by a vessel with a foreign flag operating in Indonesia's territorial waters shall, in addition to the use as meant in Article 7, may also be for the following uses:
 - a. The safety of vessels and sailing, sailing navigation, state's security, search and rescue, natural disaster, calamities, plagues; or
 - b. Connection with the telecommunications networks operated by telecommunications operators; or
 - c. Being part of satellite communications system the use of which shall conform to the prevailing provisions in the operation of telecommunications for sailing mobile services.
- (2) The provision on the procedure for the use of radio frequency as meant in sub-article (1) shall be regulated in a ministerial decree.

Article 9

- (1) The use of a radio frequency by a foreign civil aircraft operating from and to Indonesia's air territory shall be for the purposes of:
 - a. incoming reports; and
 - b. outgoing reports.
- (2) The incoming reports as meant in sub-article (1) letter a shall be made before a foreign civil aircraft enters Indonesia's territorial air space.
- (3) The outgoing reports as meant in sub-article (1) letter b shall be made before a foreign civil aircraft leaves Indonesia's territorial air space.

Article 10

- (1) The use of a radio frequency by a foreign civil aircraft operating from and to Indonesia's territorial air space shall, in addition to the purposes as meant in Article 9, also be used for the following purposes:
 - a. the safety of flight traffic, flight navigation, state's security, search and rescue, natural disasters, calamities, plagues or
 - b. connection with a telecommunications network operated by a telecommunications operator; or
 - c. being part of a satellite communications system the use of which shall conform to the prevailing provisions in the operation of telecommunications of flight mobile services.
- (2) The provisions on the procedure for the use of radio frequencies as meant in sub-article (1) shall be regulated in a ministerial decree.

Article 11

- (1) The allocation of a radio frequency band for the operation of specific telecommunications for the purpose of the state's defense and security shall be stipulated by the minister.
- (2) Planning and use of the allocation of a radio frequency band for the purpose of the state's defense shall be stipulated by the commander-in-chief of the Indonesian Military (TNI).
- (3) Planning and use of the allocation of a radio frequency band for the purpose of state's security shall be stipulated by the Chief of the Police of the Republic of Indonesia.

Article 12

The use of a radio frequency channel for the purpose of the state's defense and security shall be stipulated by the minister on the basis of a suggestion from the commander-in-chief of the TNI or the Chief of the Police of the Republic of Indonesia.

Article 13

- (1) The commander-in-chief of the TNI shall notify the planning and use of the allocation of a radio frequency band and or the radio frequency channel for the operation of specific telecommunications for the purpose of the state's defense and security to the minister.
- (2) The chief of the Police of the Republic of Indonesia shall notify the planning and use of the allocation of a radio frequency band and or a radio frequency channel for the operation of specific telecommunications for the purpose of state's defense to the Minister.
- (3) The notification as meant in sub-articles (1) and (2) shall encompass the following matters:
 - a. the band and or channel of radio frequency used;
 - b. the location where the radio station is used; and
 - c. technical specifications.

Article 14

- (1) The Minister may stipulate joint use of a radio frequency band and a radio frequency channel.
- (2) The stipulation of a radio frequency band and or a radio frequency channel used jointly as meant in sub-article (1) must be coordinated with the existing users or among users.
- (3) The stipulation on the joint use of a radio frequency band and or a radio frequency canal must fulfill the principle of efficiency and non-mutual-disturbances.
- (4) The implementation of the stipulation on the joint use as meant in sub-article (3) shall follow international provisions.

Article 15

Joint use of a radio frequency band and or a radio frequency channel may be in the form of distinction in time, region or technology.

Article 16

Joint use of a radio frequency band and or radio frequency channel with users in other countries must be coordinated by the Indonesian Telecommunications Administration with the telecommunications administrations in the said countries.

Third Part

Licensing

Article 17

- (1) The use of a radio frequency spectrum for the operation of telecommunications must, by way of obligation, obtain a license from the Minister.

- (2) The license for the use of a radio frequency spectrum as meant in sub-article (1) shall constitute the stipulation on the use of a radio frequency spectrum in the form of a radio frequency band or a radio frequency channel.
- (3) The provision on the procedure for licensing and the operational provision on the use of a radio frequency spectrum as meant in sub-article (1) shall be regulated in a ministerial decree.

Article 18

- (1) A license for the use of a radio frequency spectrum in the framework of the operations of telecommunications shall be granted through the stages of radio frequency allocation and the stipulation on the use of a radio frequency.
- (2) The holder of a license for the use of a radio frequency spectrum shall, by way of obligation, report the plan for the placement of the radio station to the minister.
- (3) In the event that the plan for the placement of radio station may disturb other radio stations, the holder of a license for the use of a radio frequency spectrum must change the plan for the placement of a radio station and or the technical parameters.
- (4) Reports on the placement of a radio station must be completed with technical parameters.

Article 19

On the basis of the provision as meant in Article 18, the minister shall stipulate a license for a radio station in accordance with the result of a technical analysis.

Article 20

- (1) A radio frequency spectrum can be used for the activities of operating temporary telecommunications.
- (2) Temporary use of a radio frequency spectrum as meant in sub-article (1) shall be for a maximum period of 1 (one) year.
- (3) A license for the use of a radio frequency spectrum as meant in sub-article (1) shall be granted in the form of a temporary radio station license.
- (4) The provision on the procedure of licensing for temporary use of a radio frequency spectrum as meant in sub-article (1) shall be regulated in a ministerial decree.

Article 21

- (1) An application for license for the use of a radio frequency spectrum shall be filed in writing to the minister.
- (2) A license application as meant in sub-article (1) for the use of a radio frequency for the operation of telecommunications must be completed with a copy of the license in principle.

- (3) A license application as meant in sub-article (1) for the development of telecommunications operations must be completed with a copy of a license for the operation of telecommunications owned.

Article 22

A license application for the use of a radio frequency spectrum for the operation of specific telecommunications for individual purposes, special services, a radio communication system for a limited scope and a point-to-point radio communications system need not be coupled with a license in principle and or a license for the operation of telecommunications.

Article 23

- (1) A radio station license for the use of a radio frequency spectrum in the form of a radio frequency band shall be given for a period of 10 (ten) years and can be extended once for another 10 (ten) years.
- (2) A radio station license for the use of a radio frequency spectrum in the form of a radio frequency channel shall be given for a period of 5 (five) years and can be extended once for another 5 (five) years.

Article 24

- (1) The holder of a radio station license whose extension period has expired may renew the radio station license through a process of an application for a new license.
- (2) The holder of a radio station license as meant in sub-article (1) shall obtain a priority in the process of an application for a new license.

Article 25

- (1) The holder of radio frequency allocation cannot transfer the radio frequency allocation obtained to another party.
- (2) A radio station license cannot be transferred to another party unless there is an approval from the minister.

Article 26

A radio frequency no longer used shall, by way of obligation, be returned to the minister.

Article 27

- (1) Radio frequency re-allocation is conducted because of a change in the international radio frequency allocation and or adjustment in its designation.

- (2) The Minister shall determine a new radio frequency allocation as the replacement for the radio frequency allocation referred to in sub-article (1).
- (3) In implementing the re-allocation as meant in sub article (1), the Minister shall notify the holder of a radio station license of the plan for a radio frequency re-allocation at least 2 (two) years before the stipulation of a new radio frequency allocation.

Article 28

In the event that a radio frequency re-allocation is conducted before the expiration of a radio station license, the user of a new radio frequency spectrum shall be obligated to reimburse all the expenses arising from the re-allocation of a radio frequency to the user of the old radio frequency spectrum.

Fifth Part

Cost of the Right to Use (BHP) a Radio Frequency Spectrum

Article 29

- (1) Every user of a radio frequency user for the purpose of telecommunications operation shall be obligated to pay the BHP of a radio frequency spectrum.
- (2) In stipulating the amount of the BHP of a radio frequency spectrum, a formula is used with account being taken of the following:
 - a. the type of a radio frequency;
 - b. the with of the band and or the channel of the radio frequency;
 - c. the extent of the scope;
 - d. the location;
 - e. the market interest.
- (3) The BHP of a radio frequency spectrum shall begin to be imposed at the time of the issuance of a radio station license.
- (4) The BHP of a radio frequency spectrum shall be paid in advance every year.

Article 30

The BHP of a radio frequency spectrum for use along with a radio frequency band and or a radio frequency channel shall be charged fully on each user.

Article 31

- (1) The use of a radio frequency spectrum for telecommunications operation exempted from the imposition of the BHP of a radio frequency spectrum shall encompass:
 - a. specific telecommunications for the purpose of the state's security and defense;
 - b. specific telecommunications for the purpose of special official services;
 - c. specific telecommunications for government agencies purposes used by the representatives of foreign countries in Indonesia to and or from the countries of origin on the basis of the principle of reciprocity.

- (2) The use of a radio frequency spectrum for telecommunications operations exempted from the BHP of the use of a radio frequency spectrum other than that referred to in sub-article (1) shall be stipulated in a government regulation.

CHAPTER IV
SATELLITE ORBIT
First Part
Use
Article 32

- (1) An operator telecommunications which shall use a satellite shall be obligated to file a written application for registration for the use of a satellite to the Minister.
- (2) The application as meant in sub-article (1) shall at least contain technical parameters encompassing the plan for the location of the satellite in the orbit, the area of scope and the radio frequency to be used.

Article 33

- (1) The Minister, in his capacity as the Indonesian Telecommunications Administrator, shall register the plan for the use of a satellite to the International Telecommunications Union.
- (2) The registration as meant in sub-article (1) shall be implemented through the stages of initial publication, coordination and notification.

Article 34

- (1) The Minister shall stipulate the use of the location of a satellite in the orbit for the operation of telecommunications.
- (2) The validity period of the use of the location of a satellite in the orbit shall agree with the life-span of the satellite and can be extended.
- (3) The stipulation on the use of the location of a satellite in the orbit for the operation of telecommunications shall not be transferable.

Second Part
BHP of a Satellite Orbit
Article 35

- (1) Every operator of telecommunications using the location of a satellite in the orbit shall be obligated to pay the BHP of a satellite orbit.
- (2) The amount of the BHP of a satellite orbit as meant in sub-article (1) shall be regulated in a separate government regulation.
- (3) In stipulating the amount of the BHP of a satellite orbit, the following components shall be taken into account:
 - a. the registration cost;
 - b. the coordination cost.

- (4) The BHP of a satellite orbit shall imposed once during the life span of a satellite and shall be paid in advance.
- (5) The provision on the procedure for the payment of the BHP of a satellite orbit as meant in sub-article (1) shall be regulated in a ministerial decree.

CHAPTER V
SUPERVISION AND CONTROL
Article 36

- (1) The Minister shall exercise supervision and control over the use of a radio frequency spectrum and or a satellite orbit.
- (2) The supervision and control as meant in sub-article (1) shall be exercised trough observation, monitoring and reordering.
- (3) The provision on the procedure for supervision and control as meant in sub-article (1) pursuant to the prevailing laws.

Article 37

- (1) Users of a radio frequency must report any disturbances to the radio frequency to the Minister.
- (2) The Minister shall make efforts to overcome the disturbances as meant in sub-article (1) pursuant to the prevailing laws.

Article 38

- (1) In the event that the source of radio frequency disturbances is in another country, the Minister shall establish coordination with the country where the disturbances have their origin.
- (2) The Minister and the telecommunications administration of the country of origin of the disturbances as meant in sub-article (1) shall make a joint effort to overcome the radio frequency disturbances.
- (3) The Minister shall report the presence of radio frequency disturbances and report the result of efforts to overcome radio frequency disturbances to the International Telecommunications Union.

CHAPTER VII
CLOSING PROVISIONS
Article 39

This government regulation shall take effect as from September 8, 2000.
For Public cognizance, this government regulation shall be promulgated by publishing it in the Statute Book of the Republic of Indonesia.

Promulgated in Jakarta
On July 11, 2000
REPUBLIC
THE STATE SECRETARY

Sgn.

DJOHAN EFFENDI

Stipulated in Jakarta
On July 11, 2000
THE PRESIDENT OF THE
OF INDONESIA

Sgn.

ABDURRAHMAN WAHID

STATUTE BOOK OF THE REPUBLIC OF INDONESIA NUMBER 108/2000

**ELUCIDATION
ON GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA
NO. 53/2000
ON
THE USE OF A RADIO FREQUENCY SPECTRUM AND SATELLITE ORBIT**

GENERAL

A radio frequency spectrum and a satellite orbit constitute limited natural resources and the use of a radio frequency spectrum must conform to its designation and must exclude mutual-disturbances because by nature a radio frequency spectrum can travel to all directions irrespective of state borders.

Fostering of these natural must be managed and regulated in order to produce optimum benefits with due observance to the national and international laws such as the constitution and the conventions of the International Telecommunications Union and Radio Regulations.

In the framework of regulating the management and fostering of the said natural resources, it is necessary to stipulate this matter in a government regulation.

In this government regulation it is stressed that fostering of the use of a radio frequency spectrum and satellite orbit shall be undertaken by the Minister. This is owing to the fact that a radio frequency spectrum and a satellite orbit constitute limited natural resources. Therefore, it is necessary to plan the use of the said natural resources.

The use of a radio frequency spectrum for telecommunications operations shall, by way of obligation, obtain a license from the Minister, while in the case of the use of a satellite, it is compulsory that an application for satellite use registration be filed to the Minister. The use of a radio frequency spectrum and the use of the location of a satellite in the orbit shall be subject to the cost of use the amount of which shall be stipulate din a separate government regulation.

The Minister shall exercise supervision and control over the use of a radio frequency spectrum and satellite orbit.

In the event that there is a radio frequency disturbance, the user of a radio frequency must report this to the Minister and the Minister shall make efforts to put right what has been disturbed.

If the source of a disturbance is in another country the Minister shall establish coordination with the telecommunications administration in the country where the disturbance has its origin.

ARTICLE BY ARTICLE

Articles 1 and 2

Sufficiently clear.

Article 3

Sub-article (1)

Sufficiently clear.

Sub-article (2)

Letter a

The location of a satellite in the orbit shall be the position of a satellite in a satellite orbit either related to a geostation or not related to one. In order to obtain the location of a satellite in the orbit it is necessary for the Indonesian Telecommunications Administration to go through a process of registration with the International Telecommunication Union.

Letter b

Sufficiently clear.

Letter c

Referred to as efficient use shall be among other things radio frequency sharing and the re-stipulation of the allocation of a radio frequency in accordance with the development of technology (re-allocation).

Letter d

Sufficiently clear.

Letters e and f

Sufficiently clear.

Letter g

Monitoring, observation and re-ordering shall be intended, among other things, to provide protection to users of a frequency spectrum against harmful disturbances.

Article 4

Sufficiently clear.

Article 5

Sub-article (1)

The table of a radio frequency allocation shall be one containing the allocation of radio frequency bands in detail on the basis of the official services as set forth in the Radio regulation. The table of a radio frequency allocation for Indonesia is regulated with reference to the table of International frequency allocation for Region 3 pursuant to the provisions of the International Telecommunication Union (ITU).

Sub-article (2)

Sufficiently clear.

Article 6

Letter a

Planning for the use of radio frequency bands shall be the division of radio frequency bands into radio frequency allocation for telecommunications and non-telecommunications purposes.

Letter b

Planning for the use of radio frequency channels shall be intended to determine the working frequency of a radio station.

Article 7

Sub-article (1)

Referred to as incoming reports and outgoing reports shall be notifications to authorized government agencies, in this case the nearest port authorities about the time when vessels with foreign flags enter and leave Indonesia's territorial waters.

Sub-articles (2) and (3)

Sufficiently clear.

Article 8

Sufficiently clear.

Article 9

Sub-article (1)

Referred to as incoming reports and outgoing reports shall be notifications to operators of flight navigational services through flight mobile service radio communications about the entry and exit of foreign civil aircraft into and from Indonesia's territorial airspace.

Sub-articles (2) and (3)

Sufficiently clear.

Article 10

Sufficiently clear.

Article 11

Sub-article (1)

Sufficiently clear.

Sub-article (2)

Planning for and use of the allocation of radio frequency bands shall be designated for defense operational activities.

Sub-security (3)

Planning for and use of radio frequency band allocation shall be designated for security operational activities.

Article 12

Sufficiently clear.

Article 13

Sub-article (1)

In the framework of planning for and use of the allocation of radio frequency bands or radio frequency channels such as the establishment of a radio station for the state's security and defense purposes, the commander-in-chief of the Indonesian Military (TNI) or the Chief of the Police Force of the Republic of

Indonesia must notify the use of a radio frequency to the Minister in the interest of the planning for the use of a radio frequency spectrum on a national scale.

Sub-articles (2) and (3)
Sufficiently clear.

Article 14

Sub-article (1)

Referred to as sharing shall be the use of the same radio frequency for two or more radio communications services.

Sub-articles (2) and (3)
Sufficiently clear.

Sub-article (4)

The said international provisions shall refer to the regulations stipulated by the International Telecommunication Union.

Article 15

Referred to as time separation for sharing shall be, among other things, time separation in the operation of radio instruments. And spatial separation shall be, among other things, location separation and antennae radiation pattern direction separation. As for technology separation this is, among other things, polarization separation and code division multiple access (CDMA).

Article 16

Referred to as coordination shall be the process of approaches about the possibility in sharing of radio frequency bands and or radio frequency channels through the technical calculation of radio frequency disturbances between two or more telecommunications administrations.

The said coordination shall encompass:

- a. coordination between users of terrestrial-terrestrial radio frequency bands and or radio frequency channels;
- b. coordination between users of terrestrial-satellite radio frequency bands and or radio frequency channels;
- c. coordination between users of satellite-satellite radio frequency bands and or radio frequency channels.

Article 17

Sub-article (1)

Sufficiently clear.

Sub-article (2)

A license for the use of a radio frequency spectrum in the form of a radio frequency band shall be designated for the purpose of a particular telecommunications system needing a particular radio frequency band width. As for the license for the use of a radio frequency in the form of a radio frequency channel shall be designated for point-to-point or point-to-multipoint telecommunications system only requiring one radio frequency channel.

Sub-article (3)
Sufficiently clear

Article 18

Sub-articles (1) and (2)
Sufficiently clear.
Sub-article (3)

Referred to as other radio stations shall be radio stations already possessing a license.

Sub-article (4)

Referred to as technical parameters shall encompass, among other things, the transmission power, radio frequencies, the area of scope, the direction of transmission, gain antenna and geographical location.

Article 19

Referred to as the result of a technical analysis shall be the result of the calculation of technical parameters.

Article 20

Sub-article (1)

Temporary activities shall be the activities using a radio frequency spectrum of less than 1 (one) year, for example, state activities, researches or national-scale or international-scale exhibitions.

Sub-articles (2) up to (4)
Sufficiently clear

Articles 21 and 22

Sufficiently clear.

Article 23

Sub-article (1)

During the validity period of license for the use of a radio frequency, periodical evaluation shall be conducted to obtain a view of the performance level of services to the community and also to serve as an input for the evaluation. The result of the evaluation shall be an input for the materials to be considered before a decision is made on the termination of the license or its extension.

Sub-article (2)

Sufficiently clear

Article 24

Sufficiently clear

Article 25

Sub-article (1)

Sufficiently clear

Sub-article (2)

In principle a radio station license is not transferable. However, in the event that the ownership of the company is transferred and or there is a merger of two or more companies, the transfer in the station license is made possible after an approval has been obtained from the Minister.

Article 26

Sufficiently clear

Article 27

Sub-article (1)

Adjustment in the designation of a radio frequency is made possible because of the development and changes in technology. The said designation adjustment shall constitute the result of a study of the conventions implemented, agreed upon and manifested in provisions.

Sub-article (2)

Sufficiently clear.

Sub-article (3)

Efforts shall be made to ensure that planning for frequency re-allocation shall be implemented as early as possible to minimize the costs which may arise as a result of a re-allocation process.

Article 28

The form of compensation or the amount of the cost for compensation as a result of radio frequency re-allocation shall be stipulated on the basis of an agreement involving the old radio frequency spectrum users and the new radio frequency spectrum users.

Articles 29 and 30

Sufficiently clear.

Article 31

Sub-article (1)

Letter a

Sufficiently clear.

Letter b

The types of the use of radio frequency spectrum for purposes of special services shall include, among other things, astronomy, sailing and flight navigation, search and rescue, national frequency monitoring center, flight safety, sailing safety, meteorology and geophysics and remote sensing.

Letter c

Referred to as the principle of reciprocity shall be a joint agreement between Indonesia and other countries to mutually exempt the cost for the use of radio frequency spectrum for communications to and or from the countries of origin.

Referred to as the representatives of foreign countries shall include, among others, world agencies/organizations under the United Nations Organization and official regional organizations like ASEAN.

Sub-article (2)

Sufficiently clear

Articles 32 and 33

Sufficiently clear.

Article 34

Sub-article (1)

The stipulation on the use of the location of a satellite in the orbit shall be based on the plan for the use of a satellite and the result of coordination with the Telecommunications Administrations of other countries. In the event that satellite coordination is not entirely completed, a license for the use of a radio frequency for the earth segment may be granted on condition that the coordination shall continue to be established to completion.

Sub-article (2)

The life span of a satellite shall be the period in which the satellite shall serve its function in accordance with its designation. The extension in the use of the location of a satellite in the orbit shall continue to go through the stages conforming to the provisions in the International Telecommunications Union.

Sub-article (3)

Basically, the right for the use of the location of a satellite in the orbit shall rest with the Indonesian Telecommunications Administration.

Article 35

Sub-articles (1) and (2)

Sufficiently clear

Sub-article (3)

Letter a

The registration cost shall be the cost for the registration with the International Telecommunications Union of the location of a satellite in the orbit.

Letter b

The said coordination shall be the coordination of frequency with the telecommunications administration of other countries.

Sub-articles (4) and (5)

Sufficiently clear.

Articles 36 up to 39

Sufficiently clear.