

**MINISTER OF COMMUNICATIONS DECREE**

**NUMBER : KM 2 OF 2001**

**REGARDING**

**PROCEDURES FOR THE ISSUANCE  
OF TYPE CERTIFICATES OF  
TELECOMMUNICATIONS EQUIPMENT AND APPARATUS**

**MINISTER OF COMMUNICATIONS,**

- Considering :
- a. whereas Government Regulation No. 52 of 2000 Regarding Telecommunications Operation regulates the provisions concerning procedures for the issuance of type certificate of telecommunications apparatus and equipment;
  - b. whereas for the implementation of provisions as meant in letter a, the provisions concerning procedures for the issuance of type certificates of telecommunications apparatus and equipment is required to be further regulated under Minister of Communications Decree.
- In the view of :
- 1. Law No. 36 of 1999 Regarding Telecommunications (State Gazette Year 1999 No. 154, Supplement No. 3881);
  - 2. Government Regulation No. 52 of 2000 Regarding Telecommunications Operation (State Gazette Year 2000 No. 107, Supplement No. 3980);
  - 3. Government Regulation No. 53 Year 2000 Regarding Use of Radio Frequency Spectrums and Satellite Orbits (State Gazette Year 2000 No. 108, Supplement No. 3981);
  - 4. Government Regulation No. 102 Year 2000 Regarding National Standardization (State Gazette Year 2000 No. 199, Supplement No. 4020);

5. Presidential Decree No. 165 of 2000 Regarding Status, Duties, Functions, Authority, Organization Structure and Working Procedure of Department;
6. Minister of Communications Decree No. 91/OT.002/Phb-80 and KM 164/OT.002/Phb-80 Regarding Organization and Working Procedures of Department of Communications, as amended lastly by Minister of Communications Decree No. Km 4 of 2000.

HAS DECIDED

To stipulate : MINISTER OF COMMUNICATIONS DECREE REGARDING PROCEDURES FOR THE ISSUANCE OF TYPE CERTIFICATES FOR TELECOMMUNICATIONS EQUIPMENT AND APPARATUS.

## CHAPTER I

### GENERAL PROVISION

#### Article 1

Referred to in this Decree:

1. Telecommunications shall be every transmission, delivery and/or rectifying of every information in the form of signals, codes, writings, pictures, voices and sounds through the system of cable, optic, radio or any other electromagnetic system;
2. Telecommunications equipment shall be equipment used to communicate;
3. Telecommunications apparatus shall be group of telecommunication equipment that make a communication possible;
4. Certificate shall be documents stating the compatibility of kind/type of telecommunications equipment and apparatus with the technical requirement;
5. Certification shall be a process relating to the granting of certificate;
6. Labeling shall be the activities to put label on the telecommunications equipment and or apparatus;

7. Test center shall be testing laboratory for the measurement of telecommunications equipment and apparatus which has been accredited by authorized institution;
8. Label shall be sign attached or installed in every certified telecommunications equipment and or apparatus;
9. Certification Institution shall be test center or other accredited institution for the certification from authorized institution;
10. Minister shall be the Minister having the scope of duties and responsibilities in telecommunications sector;
11. Director General shall be Director general of Post and Telecommunications.

## CHAPTER II

### TYPE CERTIFICATE OF TELECOMMUNICATIONS APPARATUS AND EQUIPMENT

#### Article 2

- (1) Every type of telecommunications equipment and apparatus made, assembled, imported to be traded and or used in the territory of the State of the Republic of Indonesia must be certified.
- (2) Provision concerning certification of telecommunications equipment and apparatus as meant in paragraph (1) does not include telecommunications equipment and apparatus used for:
  - a. special service;
  - b. state security and defense;
  - c. self-assembling used for amateur radio activities.

#### Article 3

- (1) Certification of every type of telecommunications equipment and apparatus as meant in Article 2 paragraph (1) shall be conducted by Director General.
- (2) Certification of every type of telecommunications equipment and apparatus shall be conducted through the test and the issuance of certificate.

#### Article 4

- (1) Application for type certification of telecommunications equipment and apparatus shall be submitted to Director General;
- (2) Application for the type certification of telecommunications equipment and apparatus as meant in paragraph (1) shall be filed by:
  - a. individuals;
  - b. manufacturers/principals;
  - c. government institutions; or
  - d. legal entities.
- (3) In the filing of application for the certification of type of telecommunications apparatus and equipment as meant in paragraph (1), the following requirements must be included:
  - a. technical specification of telecommunications apparatus and equipment;
  - b. instruction/operation manual;
  - c. installation manual for the apparatus that need to be installed;
  - d. technical description and circuit diagram;
  - e. models of telecommunications equipment and apparatus that shall be tested, for the category of Customer Premises Equipment/CPE at least in the amount of 2 (two) units and for the category other than CPE shall be at least 1 (one) unit;
  - f. any document as a result of the test in other countries, if the test is conducted by way of test of document.
- (4) Inspection on the completeness of certification application shall be completed at least 5 (five) working days as of the application is completely accepted.

#### CHAPTER III

#### TEST ON THE TYPE OF TELECOMMUNICATIONS EQUIPMENT AND APPARATUS

#### Article 5

Test on the type of telecommunications equipment and apparatus shall be conducted by ways of:

- a. Measurement; and or
- b. Documents.

#### Article 6

- (1) Measurement test as meant in Article 5 letter a shall be performed by test center based on the applicable technical requirement.
- (2) Test Center as meant in paragraph (1) shall provide report on the result of the test to the Director General at least 45 (forty-five) working days as of the acceptance of cover letter for the type test of telecommunications apparatus and equipment.

#### Article 7

- (1) Test of document as meant in Article 5 letter b shall be performed if:
  - a. measurement test can not be performed in domestic; or
  - b. telecommunications equipment and or apparatus that will be document tested has already certified admitted through international, multilateral or bilateral agreement.
- (2) Test of document as meant in paragraph (1) shall be implemented on the report document of the result of the test conducted by test center of other country.
- (3) If the test of document as meant in paragraph (1) still requires additional data, additional measurement test shall be performed on the part of technical requirement of telecommunications equipment and apparatus that will be tested.
- (4) Test of document shall be performed by Director General.
- (5) Test of document shall be settled at least 14 (fourteen) working days as of the application completely received.

### CHAPER IV

#### ISSUANCE OF CERTIFICATE

#### Article 8

- (1) Director General shall issue certificates for the types of telecommunications equipment and apparatus that passing the test.
- (2) The issuance of certificate as meant in paragraph (1) shall be settled at least 10 (ten) working days after the acceptance of the test result.
- (3) The certificate shall be renewed if there are changes on the technical specification of telecommunications equipment and apparatus.
- (4) If there are changes as meant in paragraph (3), evaluation shall be made on the telecommunications equipment and apparatus, and hereinafter re-measurement test shall be made.

#### Article 9

- (1) Director General may delegate the authority for the issuance of certificates of telecommunications equipment and apparatus to the Certification Institution.
- (2) Certification Institution as meant in paragraph (1) must report the issued type certificates of telecommunications equipment and apparatus to the Director General.

#### Article 10

Director General shall announce every certified telecommunications equipment and apparatus.

### CHAPTER V

#### LABELS OF TELECOMMUNICATIONS EQUIPMENT AND APPARATUS

#### Article 11

- (1) Holders of telecommunications equipment and apparatus holders must put label on the certified telecommunications equipment and apparatus.
- (2) Label as meant in paragraph (1) shall be prepared by certificate holder and must be numbered in accordance with the number of certificate.
- (3) Type and size of label shall be complied with the size of telecommunications equipment and apparatus.

#### CHAPTER VI

## EXPENSES OF CERTIFICATION AND TEST

### Article 12

Every issuance of certificate and type test of telecommunications equipment and apparatus shall be imposed with cost in accordance with the prevailing regulations

### Article 13

Certification cost and cost of telecommunications equipment and apparatus test conducted in accordance with this provision shall be Non-Tax State Revenue the amount of which shall be determined by Ministerial Decree.

## CHAPTER VII

### OTHER PROVISIONS

#### Article 14

Director General shall conduct fostering and technical supervision on the implementation of this Decree.

## CHAPTER VIII

### TRANSITIONAL PROVISIONS

#### Article 15

By the issuance of this Decree, all regulations lower than this Decree regulating type certificate of telecommunications equipment and or apparatus shall be declared valid so long as there is no contradiction or it has not been amended based on this Decree.

## CHAPTER IX

### CLOSING PROVISION

#### Article 16

By the issuance of this Decree, Minister of Tourism, Post and Telecommunications decree No. KM.102/UM.001/MPPT-96 Regarding Certification and Labeling of

Equipment and or Apparatus of Post and Telecommunications shall be declared no longer effective.

Article 17

This Decree shall be effective on the stipulation date.

Stipulated in : JAKARTA  
On the date of : JANUARY 16, 2001

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MINISTER OF COMMUNICATIONS

Initiated

AGUM GUMELAR, M.Sc.

Copies of this Decree shall be delivered to:

1. Chairman of State Audit Board;
2. Coordinating Minister for the Economy;
3. Coordinating Minister for the Politic, Social and Security;
4. State Minister for the Administrative Reform;
5. Minister of Home Affair and Regional Autonomy;
6. Minister of Foreign Affair;
7. Minister of Defense;
8. Minister of Industry and Trade;
9. Minister of Energy and Mineral Resources;
10. Chairman of Finance and Development Supervisory Board;
11. Secretary General, Inspector General, Director Generals and Chairmen of Bodies in the Department of Communications;
12. Head of Bureaus in the Department of Communications.

COPY in accordance with the original

Head of Legal and organization Bureau

Signed and chopped

ZULKARNAIN OEYOEB, SH, MM, MH

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