**DECISION OF THE MINISTER OF COMMUNICATION AND INFORMATION TECHNOLOGY OF THE REPUBLIC OF INDONESIA**

**NUMBER : 25 YEAR 2013**

**ON**

**FIXATION OF A SIMPLE AVERAGE OF BANK INDONESIA *RATE* FOR THE CALCULATION OF LICENSE FEE OF RADIO FREQUENCY SPECTRUM BAND OF 2.1 GHz FOR THE PROVISION OF CELLULAR MOBILE NETWORK YEAR 2013**

**BY THE GRACE OF GOD THE ALMIGHTY**

**MINISTER OF COMMUNICATION AND INFORMATION TECHNOLOGY OF THE REPUBLIC OF INDINESIA.**

Considering: a. that as a follow up of the Decree of the Minister of Communication and Information Technology Number 07/PER/M.KOMINFO/2/2006 on Use of Radio Frequency Band of 2.1 GHz for the Provision of Cellular Mobile Network as amended several times, the latest by the Decree of the Minister of Communication and Information Technology Number 32 Year 2012 on Second Amendment to the Decree of the Minister of Communication and Information Technology Number 07/PER/M.KOMINFO/2/2006 on Use of Radio Frequency Band of 2.1 GHz for the Provision of Cellular Mobile Network, where for the calculation of yearly License Fee of Radio Frequency Spectrum Band of 2.1 GHz, it is deemed necessary to fix a simple average of Bank Indonesia *Rate*  (BI-*Rate*) from the previous year;

b. that based on consideration referred to in point a, it is considered necessary to issue a Decision of the Minister of Communication and Information Technology on Fixation of A Simple Average of Bank Indonesia *Rate* for the Calculation of License Fee of Radio Frequency Spectrum Band of 2.1 GHz for the Provision of Cellular Mobile Network Year 2013..

Bearing in mind: 1. Law of the Republic of Indonesia Number 36 Year 1999 on Telecommunication (State Gazette of the Republic of Indonesia Number 154 Year 1999, Supplement to the State Gazette of the Republic of Indonesia Number 3881);

2 Government Regulation of the Republic of Indonesia Number 52 Year 2000 on Provision of Telecommunication (State Gazette of the Republic of Indonesia Number 107 Year 2000, Supplement to the State Gazette of the Republic of Indonesia Number 3980);

1. Government Regulation of the Republic of Indonesia Number 53 Year 2000 on Use of Radio Frequency Spectrum and Satellite Orbit (State Gazette of the Republic of Indonesia Number 108 Year 2000, Supplement to the State Gazette of the Republic of Indonesia Number 3981);
2. Government Regulation of the Republic of Indonesia Number 7 Year 2009 on Types and Tariffs of the Kinds of Non-Tax State Income Applicable at the Department of Communication and Information Technology (State Gazette of the Republic of Indonesia Number 20 Year 2009, Supplement to the State Gazette of the Republic of Indonesia Number 4974) as amended by the Government Regulation of the Republic of Indonesia Number 76 Year 2010 on Amendment to the Government Regulation of the Republic of Indonesia Number 7 Year 2009 on Types and Tariffs of the Kinds of Non-Tax State Income Applicable at the Department of Communication and Information Technology (State Gazette of the Republic of Indonesia Number 135 Year 2010, Supplement to the State Gazette of the Republic of Indonesia Number 5171);
3. Decree of the President of the Republic of Indonesia Number 47 Year 2009 on Formation and Organization of State Ministries of the Republic of Indonesia as amended several times, the latest by the Decree of the President of the Republic of Indonesia Number 91 Year 2011 on Third Amendment to the Decree of the President of the Republic of Indonesia Number 47 Year 2009 on Formation and Organization of State Ministries of the Republic of Indonesia;
4. Decree of the President of the Republic of Indonesia Number 24 Year 2010 on Positions, Duties, and Functions of State Ministries of the Republic of Indonesia and Organizational Structure, Duties, and Functions of Echelon I of State Ministries of the Republic of Indonesia as amended several times, the latest by the Decree of the President of the Republic of Indonesia Number 92 Year 2011 on Second Amendment to the Decree of the President of the Republic of Indonesia Number 24 Year 2010 on Positions, Duties, and Functions of State Ministries of the Republic of Indonesia and Organizational Structure, Duties, and Functions of Echelon I of State Ministries of the Republic of Indonesia;

1. Decree of the Minister of Communication and Information Technology Number 17/PER/M.KOMINFO/10/2005 on Procedure of Licensing and Operational Provision of Radio Frequency Spectrum Usage, as amended by the Decree of the Minister of Communication and Information Technology Number 23/PER/M.KOMINFO/12/2010 on Amendment to the Decree of the Minister of Communication and Information Technology Number 17/PER/M.KOMINFO/10/2005 on Procedure of Licensing and Operational Provision of Radio Frequency Spectrum Usage;

1. Decree of the Minister of Communication and Information Technology Number 19/PER/M.KOMINFO/10/2005 on Guideline for the Implementation of Tariffs on Non-Tax State Income from License Fee of Radio Frequency Spectrum, as amended several times, the latest by the Decree of the Minister of Communication and Information Technology Number 24/PER/M.KOMINFO/12/2010 on Third Amendment to the Decree of the Minister of Communication and Information Technology Number 19/PER/M.KOMINFO/10/2005 on Guideline for the Implementation of Tariffs on Non-Tax State Income from License Fee of Radio Frequency Spectrum;

1. Decree of the Minister of Communication and Information Technology Number 01/PER/M.KOMINFO/1/2006 on Structuring of Radio Frequency Band of 2.1 GHz for the Provision of IMT-2000 Cellular Mobile Network as amended several times, the latest by the Decree of the Minister of Communication and Information Technology Number 31 Year 2012 on Second Amendment to the Decree of the Minister of Communication and Information Technology Number 01/PER/M.KOMINFO/1/2006 on Structuring of Radio Frequency Band of 2.1 GHz for the Provision of IMT-2000 Cellular Mobile Network;
2. Decree of the Minister of Communication and Information Technology Number 04/PER/M.KOMINFO/1/2006 on Procedure of Auction of Radio Frequency Band of 2.1. GHz for the Provision of IMT-2000 Cellular Mobile Network;
3. Decree of the Minister of Communication and Information Technology Number 07/PER/M.KOMINFO/2/2006 on Use of Radio Frequency Band of 2.1. GHz for the Provision of Cellular Mobile Network, as amended several times, the latest by the Decree of the Minister of Communication and Information Technology Number 32 Year 2012 on Second Amendment to the Decree of the Minister of Communication and Information Technology Number 07/PER/M.KOMINFO/2/2006 on Use of Radio Frequency Band of 2.1. GHz for the Provision of Cellular Mobile Network
4. Decision of the Minister of Communication and Information Technology Number 29/KEP/M.KOMINFO/03/2006 on the Provision of Allocation of Radio Frequency Band and Payment of Tariff of the License for Radio Frequency Spectrum Band Usage for Providers of IMT-2000 Cellular Mobile Network at Radio Frequency Band of 2.1. GHz;
5. Decree of the Minister of Communication and Information Technology Number 17/PER/M.KOMINFO/10/2010 on Organization and Work Method of the Ministry of Communication and Information Technology;
6. Decree of the Minister of Communication and Information Technology Number 15/PER/M.KOMINFO/6/2011 on Adjustment of Nomenclatures of a Number of Decisions/Decrees of the Minister of Communication and Information Technology which Regulate Special Material Contents in the Field of Post and Telecommunication;
7. Decree of the Minister of Communication and Information Technology Number 43 Year 2012 on Procedure of Selection of Users of Additional Radio Frequency Band at Radio Frequency Band of 2.1. GHz For the Provision of IMT-2000 Cellular Mobile Network,

Noting : The Decision of the Meeting of the Council of Bank Indonesia Governors of the Period of 12 January 2012 up to the Period of 11 December 2012 on Bank Indonesia *Rate.*

**DECIDES**

**To issue : DECISION OF THE MINISTER OF COMMUNICATION AND INFORMATION TECHNOLOGY ON FIXATION OF A SIMPLE AVERAGE OF BANK INDONESIA *RATE* FOR THE CALCULATION OF LICENSE FEE OF RADIO FREQUENCY SPECTRUM BAND OF 2.1 GHz FOR THE PROVISION OF CELLULAR MOBILE NETWORK YEAR 2013**

FIRST : Define A Simple Average of Bank Indonesia *Rate* (BI *Rate*) Year

 2012 at **Five Point Seventy-Seven Percent ( 5.77 %),** based on

 BI *Rare* decided at the Meeting of the Council of Bank Indonesia

Governors period of January 2012 up to December 2012 as included in the following table of BI *Rate*:

|  |  |  |
| --- | --- | --- |
| **NO** | **PERIOD** | **BI *RATE*** |
| 1 | 12 January 2012 |  6.00% |
| 2 | 9 February 2012 | 5.75% |
| 3 | 8 March 2012 | 5.75% |
| 4 | 12 April 2012 | 5.75% |
| 5 | 10 May 2012 | 5.75% |
| 6 | 12 June 2012 | 5.75% |
| 7 | 12 July 2012 | 5.75% |
| 8 | 9 August 2012 | 5.75% |
| 9 | 13 September 2012 | 5.75% |
| 10 | 11 October 2012 | 5.75% |
| 11 | 8 November 2012 | 5.75% |
| 12 | 11 December 2012 | 5.75% |

SECOND The simple average of Bank Indonesia *Rate* (BI *Rate*) year 2012 referred to in the FIRST Dictum is used in the calculation of License Fee of Radio Frequency Spectrum Band of 2.1 GHz for the Provision of Cellular Mobile Network year 2013.

THIRD This Ministerial Decision shall come into force in the month of January 2013

 Done at: JAKARTA

 On : January 14, 2013

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**MINISTER OF COMMUNICATION AND INFORMATION TECHNOLOGY OF THE REPUBLIC OF INDONESIA,**

Signed

**TIFATUL SEMBIRING**