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

**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 PROVISION OF THE USE OF RADIO FREQUENCY**

 **BAND OF 2.1 GHz FOR THE PROVISION OF CELLULAR MOBILE NETWORK**

**BY THE GRACE OF GOD THE ALMIGHTY**

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

Considering: a. that in accordance with the provision of Article 4 points b, c, and d

 of the Government Regulation Number 53 Year 2000 on Use of Radio Frequency Spectrum and Satellite Orbit, the planning of radio frequency spectrum usage, must take into consideration the aspect of efficiency and economy, technological development, and the future need of radio frequency spectrum;

b. that the radio frequency band of 2.1 GHz for UMTS system determined for the respective providers of IMT-2000 cellular mobile network prior to the issuance of this Ministerial Decree has achieved the width of 2 x 10 MHz so that in all exists at radio frequency band of 1920-1970 MHz in pair with 2110 – 2160 MHz;

c. that in the allocation of radio frequency band of 2.1 GHz for UMTS system there exist two (2) radio frequency canals which have not been used, namely at the span of 1970 – 1980 MHz in pair with 2160 – 2170 MHz which on the basis of technical study may be used for the provision of IMT-2000 cellular mobile network;

d. that in order that the two (2) radio frequency canals at the span of 1970 – 1980 MHz in pair with 2160 – 2170 MHz may be defined of their usage, the provision of maximum limit of the use of radio frequency band of 2.1 GHz for one provider of IMT-2000 cellular mobile network having the width of 2 x 10 MHz must be abolished;

e. that based on considerations referred to in points a, b, c, and d, it is considered necessary to issue a Decree of the Minister of Communication and Information Technology on Second Amendment to the Decree of the Minister of Communication and Information Technology Number 07/PER/M.KOMINFO/2/2006 on Provision of the Use of Radio Frequency Band of 2.1 GHz for the Provision of Cellular Mobile Network.

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);

3. 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);

4. 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;

5. Decree of the President of the Republic of Indonesia Number 24 Year 2010 on Positions, Duties, 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;

6. 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;

7. Decree of the Minister of Communication and Information Technology Number 07/PER/M.KOMINFO/2/2006 on Provision of the Use of Radio Frequency Band of 2.1 GHz for the Provision of Cellular Mobile Network as amended by the Decree of the Minister of Communication and Information Technology Number 43/PER/M.KOMINFO/12/2006 on Amendment to the Decree of the Minister of Communication and Information Technology Number 07//PER/M.KOMINFO/2/2006 on Provision of the Use of Radio Frequency Band of 2.1 GHz for the Provision of Cellular Mobile Network;

8. 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.

**DECIDES**

**To issue**: **DECREE OF THE MINISTER OF COMMUNICATION AND**

 **INFORMATION TECHNOLOGY ON** **SECOND AMENDMENT TO THE DECREE OF THE MINISTER OF COMMUNICATION AND INFORMATION TECHNOLOGY NUMBER 07/PER/M.KOMINFO/2/2006 ON PROVISION OF THE USE OF RADIO FREQUENCY BAND OF 2.1 GHz FOR THE PROVISION OF CELLULAR MOBILE NETWORK**

**Article I**

The provision of Article 2 paragraph (2) of the Decree of the Minister of Communication and Information Technology Number 07/PER/M.KOMINFO/2/2006 on Provision of the Usage of Radio Frequency Band of 2.1 GHz for the Provision of Cellular Mobile Network, as amended by the Decree of the Minister of Communication and Information Technology Number 43/PER/M.KOMINFO/12/2006 is amended, and one (1) paragraph, i.e. paragraph (4) is added , so that Article 2 reads as follows:

Article 2

(1) Radio frequency band of 2.1 GHz is allocated for the provision of IMT-2000 cellular mobile telecommunication in accordance with B1 arrangement of ITU-R.M. 1036-2 ITU Recommendation.

(2) The determination of radio frequency spectrum at radio frequency band of 2.1 GHz, i.e. 1940 – 1955 MHz in pair with 2130 – 2145 MHz , to selection participants of IMT-2000 cellular mobile network providers is done through auction mechanism.

(3) The radio frequency spectrum auctioned is three (3) blocks of radio frequency bands, one each of 2 x 5 MHz at radio frequency band of 2.1 GHz, i.e. 1940 – 1955 MHz in pair with 2130 – 2145 MHz.

(4) The determination of radio frequency spectrum at radio frequency band of 2.1 GHz other than what is referred to in paragraph (2) is regulated by a separate Ministerial Decree.

**Article II**

This Ministerial Decree shall come into force on the date of its issuance.

In order to make known to every body, instruct the promulgation of this Ministerial Decree by placing it in the State Announcement of the Republic of Indonesia.

 Done at: JAKARTA

 On : September 12, 2012

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

Signed

**TIFATUL SEMBIRING**

Promulgated at Jakarta

On October 17, 2012

MINISTER OF LAW AND HUMAN RIGHTS

OF THE REPUBLIC OF INDONESIA

 Signed

 AMIR SYAMSUDIN

STATE ANNOUNCEMENT OF THE REPUBLIC OF INDONESIA YEAR 2012 NUMBER 1016

For copy conform to the original

Ministry of Communication and Information Technology,

 Head of Bureau of Legal Affairs,

 Signed

 D. Susilo Hartono