

REGULATION OF MINISTER OF COMMUNICATIONS AND INFORMATICS
OF THE REPUBLIC OF INDONESIA
NUMBER 24 OF 2013
ON
INTERNATIONAL ROAMING SERVICES

BY THE GRACE OF THE ONE AND ALMIGHTY GOD

MINISTER OF COMMUNICATIONS AND INFORMATICS
OF THE REPUBLIC OF INDONESIA,

Considering : a. that to maintain healthy business competition and to ensure certainty and transparency of international roaming services for mobile cellular network operations, it is deemed necessary to establish a regulation on international roaming services;
b. that based on consideration as referred to in letter a, it is necessary to establish a Regulation of Minister of Communications and Informatics on International Roaming Services;

Noting : 1. Law Number 36 of 1999 on Telecommunications (State Gazette of the Republic of Indonesia Year 1999 Number 154, Supplement to State Gazette of the Republic of Indonesia Number 3881);
2. Law Number 5 of 1999 on Prohibition of Monopolistic Practices and Unhealthy Business Competition (State Gazette of the Republic of Indonesia Year 1999 Number 33, Supplement to State Gazette of the Republic of Indonesia Number 3817);
3. Law Number 8 of 1999 on Consumer Protection (State Gazette of the Republic of Indonesia Year 1999 Number 42, Supplement to State Gazette of the Republic of Indonesia Number 3821);
4. Government Regulation Number 52 of 2000 on Telecommunications Operations (State Gazette of the Republic of Indonesia Year 2000 Number 107, Supplement to State Gazette of the Republic of Indonesia Number 3980);
5. Presidential Regulation Number 47 of 2009 on Establishment and Organization of State Ministries as has been amended several times, and was last

- amended by Presidential Regulation Number 55 of 2013 on Fourth Amendment to Presidential Regulation Number 47 of 2009 on Establishment and Organization of State Ministries;
6. Presidential Regulation Number 24 of 2010 on Positions, Duties, and Functions of State Ministries and Organizational Structures, Duties, and Functions of Echelon I of State Ministries as has been amended several times, and was last amended by Presidential Regulation Number 56 of 2013 on Fourth Amendment to Presidential Regulation Number 24 of 2010 on Positions, Duties, and Functions of State Ministries and Organizational Structures, Duties, and Functions of Echelon I of State Ministries;
 7. Decision of Minister of Transportation Number KM. 21 of 2001 on Telecommunications Service Operations as has been amended several times, and was last amended by Regulation of Minister of Communications and Informatics Number 31/PER/M.KOMINFO/09/2008 on Third Amendment to Decision of Minister of Transportation on Telecommunications Service Operations;
 8. Regulation of Minister of Communications and Informatics Number 8/PER/M.KOMINFO/02/2006 on Interconnection;
 9. Regulation of Minister of Communications and Informatics Number 9/PER/M.KOMINFO/04/2008 on Procedures for Tariff Determination of Telecommunications Services through Mobile Cellular Networks;
 10. Regulation of Minister of Communications and Informatics Number 36/PER/M.KOMINFO/10/2008 on Establishment of the Indonesian Telecommunications Regulatory Body as has been amended several times, and was last amended by Regulation of Minister of Communications and Informatics Number 01/PER/M.KOMINFO/02/2011 on Second Amendment to Regulation of Minister of Communications and Informatics Number 36/PER/M.KOMINFO/10/2008 on Establishment of the Indonesian Telecommunications Regulatory Body;

11. Regulation of Minister of Communications and Informatics Number 01/PER/M.KOMINFO/01/2010 on Telecommunications Network Operations;

HAS DECIDED:

To establish : REGULATION OF MINISTER OF COMMUNICATIONS AND INFORMATICS ON INTERNATIONAL ROAMING SERVICES.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Ministerial Regulation, the following terms have the following meanings:

1. Mobile Cellular Network Operators mean operators providing mobile cellular network services.
2. Roaming means capability of mobile cellular network that enables Consumers to use a service in unserved areas by any mobile cellular network operators by using networks owned by other mobile cellular networks.
3. International Roaming means roaming operated between 2 (two) mobile cellular network operators with international coverage.
4. Usage limitation means certain limitation imposed on use of services in accordance with costs or volumes of usage.
5. Short Message Service, hereinafter referred to as SMS, means services for transmission and/or reception of short message in the form of texts through telecommunications networks.
6. Notification means a notice to subscribers through SMS on the use of international roaming services.
7. Unstructured Supplementary Service Data Menu Browser, hereinafter referred to as the UMB, means facility provided for Consumers to access value added service information.
8. Consumers mean subscribers and users.
9. Minister means the Minister whose scope of duties and responsibilities is in the field of telecommunications.
10. Director General means the Director General whose scope of duties and functions is in the field of telecommunications operations.

11. Indonesian Telecommunications Regulatory Body, hereinafter referred to as the BRTI, means Directorate General of Post and Informatics Operations, Directorate General of Resources Management and Equipment of Post and Informatics, and Telecommunications Regulatory Committee.

CHAPTER II SERVICE PROVISIONS

Article 2

- (1) Mobile Cellular Network Operators may provide international roaming services.
- (2) The provision of international roaming services as referred to in paragraph (1) shall be made in cooperation with mobile cellular network operators in other countries.
- (3) Paid international roaming services as referred to in paragraph (1) category may be provided to Consumers having obtained the Consumers' consent.

Article 3

Type of international roaming services may be in the forms of, but not limited to, voice, SMS, and data services.

Article 4

- (1) In providing international roaming services, mobile cellular networks operators shall provide correct, clear and transparent information.
- (2) The information as referred to in paragraph (1) shall be easily accessible through the following media:
 - a. website;
 - b. SMS; and
 - c. the UMB.
- (3) Information published through the media as referred to in paragraph (2) shall be given to the Consumers free of charge.
- (4) In obtaining information as referred to in paragraph (2) letter b and letter c, the Consumers shall not be charged.

- (5) The information as referred to in paragraph (1) shall at least comprise:
- a. types of international roaming services;
 - b. retail tariffs of international roaming services for all available roaming partners; and
 - c. available roaming partners' network in other countries.

Article 5

- (1) Information on the available roaming partners' network in other countries as referred to in Article 4 paragraph (2) letter c may be completed with information on suggested priority roaming partners' networks.
- (2) Information on the suggested priority roaming partners' networks as referred to in paragraph (1) shall be based on:
- a. consideration of reasonable tariff;
 - b. most extensive coverage; and/or
 - c. best quality of service.

Article 6

Mobile Cellular Network Operators providing international roaming services shall provide information stating that data services on international roaming services may be activated or deactivated through the settings feature on the Consumers' devices.

CHAPTER III TARIFF TRANSPARENCY

Article 7

Information on retail tariffs of international roaming services for voice services shall at least comprise:

- a. tariff on international roaming services for voice services to make local calls in the visited countries;
- b. tariff on international roaming services for voice services to make calls to the originating countries; and
- c. tariff on international roaming services for voice services to receive calls from the originating countries and the visited countries.

Article 8

Information on retail tariffs of international roaming services for SMS services shall at least comprise:

- a. tariff to send SMS to the visited countries;

- b. tariff to send SMS to the originating countries; and
- c. tariff to receive SMS from the originating countries and the visited countries.

Article 9

Information on retail tariffs of international roaming services for data services shall at least comprise:

- a. tariff of data services per volume unit;
- b. tariff of data services per time unit; and/or
- c. tariff of packaged data offered.

CHAPTER IV USAGE NOTIFICATION

Article 10

- (1) Mobile Cellular Network Operators providing international roaming services as referred to in Article 2 paragraph (1) shall notify the Consumers of international roaming services free of charge through SMS.
- (2) The notification as referred to in paragraph (1) shall comprise:
 - a. information on partners' networks used once the Consumers begin to connect with overseas partners' networks delivered to the Consumers upon arrival in destination countries;
 - b. a warning that international roaming service tariff is higher than domestic service tariff;
 - c. a warning on the use of data and SMS services in the event that the use of international roaming services approaches the specified usage limit; and
 - d. a warning on the use of data and SMS services in the event that the use of international roaming services reaches the specified usage limit.
- (3) The specified usage limit as referred to in paragraph (2) point c and point d is the usage limit agreed upon by the Consumers.
- (4) Mobile cellular network operators shall provide the Consumers of international roaming services with the option to continue or stop the use of services after it reaches the usage limits.
- (5) The obligation to provide a notification on usage limits as referred to in paragraph (2) point c, point d, and paragraph (4) is exempted for operators

of mobile cellular networks with Code Division Multiple Access (CDMA) technology insofar as they are technically unfeasible.

CHAPTER V SUPERVISION AND CONTROL

Article 11

The BRTI shall supervise and control the implementation of this Ministerial Regulation.

CHAPTER VI SANCTIONS

Article 12

Mobile Cellular Networks Operators providing international roaming services that violate the provisions of Article 2 paragraph (2), Article 4 paragraph (1) and paragraph (2), Article 6, Article 7, Article 8, Article 9, and Article 10 paragraph (1) and paragraph (4) shall be subject to administrative sanctions in accordance with the provisions of the laws and regulations.

CHAPTER VII TRANSITIONAL PROVISIONS

Article 13

In the event that Mobile Cellular Network Operators providing international roaming services have not been able to comply with the provisions of providing notifications as referred to in Article 10 paragraph (2) due to technical reasons, the said operators shall be given additional time to implement the provisions no later than 5 (five) months from the date of promulgation of this Ministerial Regulation.

CHAPTER VIII CLOSING PROVISION

Article 14

This Ministerial Regulation shall come into force from the date of its promulgation.

For public cognizance, it is hereby ordered that this Ministerial Regulation be promulgated in the Official Gazette of the Republic of Indonesia.

Established in Jakarta
on 31 October 2013

MINISTER OF COMMUNICATIONS AND INFORMATICS
OF THE REPUBLIC OF INDONESIA,

signed

TIFATUL SEMBIRING

Promulgated in Jakarta
on 27 November 2013

MINISTER OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

signed

AMIR SYAMSUDIN

OFFICIAL GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2013
NUMBER 1388

This unofficial English translation is brought by the collaboration between Government translators from Ministry of Communications and Informatics and Cabinet Secretariat: Andhika Widyarani, Aulia Astagina Ramadhani, Chrisna Harimurti, Cintami Agnes Selviani, Erik Limantara, Ivan Atmanagara, Muhammad Ersan Pamungkas, Muhardi, Penni Patmawati Rusman, and Siti Chodijah.