

REGULATION OF MINISTER OF COMMUNICATIONS AND INFORMATICS
OF THE REPUBLIC OF INDONESIA

NUMBER 12 OF 2016

ON

REGISTRATION OF TELECOMMUNICATIONS SERVICE SUBSCRIBERS

BY THE GRACE OF THE ONE AND ALMIGHTY GOD

MINISTER OF COMMUNICATIONS AND INFORMATICS
OF THE REPUBLIC OF INDONESIA,

Considering : a. that the provisions on the registration of telecommunications service subscribers as stipulated in Regulation of Minister of Communications and Informatics Number: 23/M.KOMINFO/10/2005 on Registration of Telecommunications Service Subscribers are deemed no longer relevant with the developments; therefore, they shall be superseded;

b. that based on the consideration as referred to in letter a, it is necessary to establish a Regulation of Minister of Communications and Informatics on Registration of Telecommunications Service Subscribers;

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 23 of 2006 on Population Administration as amended by Law Number 24 of 2013 on Amendment to Law Number 23 of 2006 on Population Administration (State Gazette of the Republic of Indonesia Year 2013 Number 232, Supplement to State Gazette of the Republic Indonesia Number 5475);

3. Law Number 39 of 2008 on State Ministry (State Gazette of the Republic of Indonesia Year 2008

- Number 166, Supplement to State Gazette of the Republic of Indonesia Number 4916);
4. Law Number 30 of 2014 on Government Administration (State Gazette of the Republic of Indonesia Year 2014 Number 292, Supplement to State Gazette of the Republic of Indonesia Number 5601);
 5. 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);
 6. Presidential Regulation Number 7 of 2015 on State Ministry Organization (State Gazette of the Republic of Indonesia Year 2015 Number 8);
 7. Presidential Regulation Number 54 of 2015 on Ministry of Communications and Informatics (State Gazette of the Republic of Indonesia Year 2015 Number 96);
 8. Regulation of Minister of Communications and Informatics Number: 01/PER/M.KOMINFO/01/2010 on Telecommunications Network Operations as has been amended several times, and was last amended by Regulation of Minister of Communications and Informatics Number 7 of 2015 on the Second Amendment to Regulation of Minister of Communications and Informatics Number: 01/PER/M.KOMINFO/01/2010 on Telecommunications Network Operations;
 9. 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 8 of 2015 on the Fourth Amendment to Decision of Minister of Transportation Number: KM.21 of 2001 on Telecommunications Service Operations (Official Gazette of the Republic of Indonesia Year 2015 Number 251);
 10. Regulation of Minister of Communications and Informatics Number 1 of 2016 on Organization and

Work Procedure of Ministry of Communications
and Informatics (Official Gazette of the Republic of
Indonesia Year 2016 Number 103);

HAS DECIDED:

To establish : REGULATION OF MINISTER OF COMMUNICATIONS
AND INFORMATICS ON REGISTRATION OF TELE-
COMMUNICATIONS SERVICE SUBSCRIBERS.

CHAPTER I
GENERAL PROVISIONS

Article 1

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

1. Telecommunications means any emission, transmission, and/or reception of information in the forms of signs, signals, texts, images, voices, and sounds through wire, optic, radio, or other electromagnetic systems.
2. Telecommunications Service Operators mean any party that provides and/or operates telecommunications services.
3. Telecommunications Services mean services aimed at meeting the needs for telecommunications by using telecommunications networks.
4. Registration means a recording of the identity of Telecommunications Service Subscribers by Telecommunications Service Operators.
5. Telecommunications Service Subscribers, hereinafter referred to as Subscribers, mean any party that uses Telecommunications Services.
6. Contact Center means a contact center used for the purpose of handling user/subscriber complaints and/or inquiries.
7. Starter Pack means a card used by Telecommunications Service Subscribers to use Postpaid or Prepaid Telecommunications Services.
8. Prepaid System means a payment system made in advance of service period through a Starter Pack purchase and a Prepaid deposit top-up.
9. Postpaid System means a payment system made at the end of the service period through a Starter Pack purchase and a billing according to services usage during the period.

10. Population Identification Number, hereinafter referred to as NIK, means a population identification number that is unique, singular, and integrated to an individual who is registered as an Indonesian Resident.
11. Partners mean business entities that have business partnership with Telecommunications Service Operators as stated in a written agreement.
12. Mobile Subscriber Integrated Services Digital Network Number, hereinafter referred to as MSISDN Number or Subscriber Number, means a number that uniquely identifies the Subscriber on a cellular mobile network.
13. Verification means the process of visually matching pre-Subscribers' data by registration officers.
14. Validation means the process of matching pre-Subscribers' data with population data held by government institutions overseeing population affairs.
15. Machine-to-Machine, hereinafter referred to as M2M, means a communication between telecommunications equipment without human intervention.
16. Minister means the Minister whose duties and responsibilities are in the communications and informatics field.
17. Indonesian Telecommunications Regulatory Body, hereinafter referred to as the BRTI, means the Directorate General of the Post and Informatics Operations, the Directorate General of Resources Management and Equipment of Post and Informatics, and the Telecommunications Regulatory Committee.
18. Director General means the Director General whose duties and responsibilities are in the telecommunications operations field.

CHAPTER II PREPAID SUBSCRIBERS REGISTRATION

Part One General Provisions

Article 2

- (1) Telecommunications Service Operators shall issue Starter Pack in inactive condition for all types of Telecommunications Services, except for the purpose of Registration.

- (2) The Registration as referred to in paragraph (1) shall be in the forms of:
 - a. short message service to the Registration number specified by the Telecommunications Service Operators; and/or
 - b. incoming and outgoing call services to the Telecommunications Service Operators Contact Center.
- (3) Prepaid Subscribers shall have the rights to use Telecommunications Services after correctly performing Registration to the Telecommunications Service Operators.

Part Two
Prepaid Subscribers' Identity

Article 3

Prepaid pre-Subscribers Registration shall be carried out by providing the pre-Subscribers' identity as follows:

- a. MSISDN Number or Subscriber Number used;
- b. NIK for Indonesian Citizens; and
- c. Passport, Permanent Stay Permit Card (KITAP), or Limited Stay Permit Card (KITAS) for Foreign Nationals.

Part Three
Procedures for Prepaid Subscribers Registration

Article 4

- (1) Prepaid Subscribers Registration shall be carried out through:
 - a. outlets owned by Telecommunications Service Operators or Partners;
or
 - b. Self-registration.
- (2) The Self-registration as referred to in paragraph (1) letter b shall be carried out through:
 - a. short message service or Telecommunications Service Operators Contact Center accessed through the MSISDN Number to be registered;
or
 - b. Telecommunications Service Operators' web pages by applying the method of verifying the validity of the MSISDN Number registered.

Article 5

The registration through outlets as referred to in Article 4 paragraph (1) letter a shall be carried out in the following stages:

- a. Registration by outlet officers appointed by Telecommunications Service Operators or Partners;
- b. Verification of the Prepaid pre-Subscribers' identity as referred to in Article 3 by outlet officers;
- c. for the registration process using NIK:
 1. after receiving data from Prepaid pre-Subscribers, Telecommunications Service Operators shall perform Validation; and
 2. in the event that the data entered by the Prepaid pre-Subscribers is validated, the Registration process is declared successful.
- d. for the Registration process using Passport, KITAP, or KITAS, the outlet officers shall record the data of Prepaid pre-Subscribers which comprises at least:
 1. name;
 2. identification number of the Passport, KITAP, or KITAS;
 3. citizenship; and
 4. place and date of birth.

Article 6

The Self-registration through short message service or Contact Center as referred to in Article 4 paragraph (2) letter a shall be carried out by Prepaid pre-Subscribers by performing the following stages:

- a. Prepaid pre-Subscribers shall send a short message service or call the Contact Center accessed via MSISDN Number to be registered by sending/submitting the following data:
 1. NIK; and
 2. name of birth mother or Family Card number.
- b. after receiving data from Prepaid pre-Subscribers, Telecommunications Service Operators shall perform Validation;
- c. in the event that the data entered by the Prepaid pre-Subscribers is validated, the Registration process is declared successful; and
- d. in the event that the data entered is not validated, Prepaid pre-Subscribers are given the opportunity to Re-register at a maximum of 5 (five) times.

Article 7

The Self-registration through Telecommunications Service Operators' web pages as referred to in Article 4 paragraph (2) letter b shall be carried out by Prepaid pre-Subscribers by performing the following stages:

- a. Prepaid pre-Subscribers fill out and send the MSISDN Number to be registered on the web pages of the Telecommunications Service Operators;
- b. following the successful delivery of the MSISDN Number, Telecommunications Service Operators send an authorization code that may be in the form of One-Time Password to the MSISDN Number of the Prepaid pre-Subscribers to be registered;
- c. after receiving the authorization code as referred to in letter b, the Prepaid pre-Subscribers send reply with the followings:
 1. authorization code;
 2. NIK; and
 3. name of birth mother or Family Card number;
- d. after receiving data from Prepaid pre-Subscribers, Telecommunications Service Operators shall perform Validation;
- e. in the event that the data entered by Prepaid pre-Subscribers is validated, the Registration process is declared successful; and
- f. in the event that the data entered is not validated, Prepaid pre-Subscribers are given the opportunity to Re-register at a maximum of 5 (five) times.

Article 8

In the event that the Re-registration as referred to in Article 6 letter d and Article 7 letter f fails to be validated up to 5 (five) times, the Prepaid pre-Subscribers may only register through the outlets owned by the Telecommunications Service Operators or the outlets owned by the Partners as referred to in Article 4 paragraph (1) letter a.

Article 9

- (1) In the event that Validation fails to be performed as a result of disruption on Telecommunications Service Operators, the Validation process shall be carried out immediately once the disruption is resolved.
- (2) In the event that Validation fails to be performed as a result of disruption on the part of the government institution overseeing population affairs:

- a. Validation process may be postponed provided that the data of Pre-paid pre-Subscribers is verified at the Telecommunications Service Operators' outlets or Partners' outlets, and temporary activation may be done within a 24-hour period;
- b. after the end of temporary activation period as referred to in letter a, Telecommunications Service Operators shall perform a Validation based on the Verification data; and
- c. In the event that the Validation is unsuccessful, Prepaid pre-Subscribers shall Re-register in accordance with the procedures as stipulated in Article 5, Article 6, or Article 7.

Part Four
Activation

Article 10

- (1) Telecommunications Service Operators shall activate the MSISDN Number or Subscribers' Number after the pre-Subscribers' identity is verified and/or validated.
- (2) The MSISDN Number or Prepaid pre-Subscribers Number shall be activated within a 24-hour period from the Verification and/or Validation of the Prepaid pre-Subscribers' identity.

Part Five
Preventive Efforts of Misuse of Prepaid Subscribers Number

Article 11

- (1) Prepaid pre-Subscribers may only conduct Self-registration of a maximum of 3 (three) MSISDN Numbers or Subscribers Numbers for each NIK at each Telecommunications Service Operators as referred to in Article 4 paragraph (2).
- (2) MSISDN Number used for certain purposes such as M2M communication whose needs exceed 3 (three) MSISDN Numbers may only be registered through Telecommunications Service Operators' outlets or Partners' outlets.
- (3) Telecommunications Service Operators shall deactivate the MSISDN Number or Prepaid Subscribers Number proven or known to use an

identity that is bogus, false, or belonging to any person without rights or without the permission of the person concerned.

- (4) Telecommunications Service Operators shall deactivate the MSISDN Number or Prepaid Subscribers Number proven to be misused.
- (5) In the event that the MSISDN Number or Prepaid Subscribers Number as referred to in paragraph (3) and paragraph (4) is deactivated, Telecommunications Service Operators shall have no obligation to pay for losses to Prepaid Subscribers.

CHAPTER III POSTPAID SUBSCRIBERS REGISTRATION

Article 12

Postpaid Subscribers Registration shall be carried out in accordance with the contract between Telecommunications Service Operators and Postpaid Subscribers whose procedures are determined by Telecommunications Service Operators based on the provisions as referred to in Article 5.

Article 13

The Postpaid Subscribers as referred to in Article 12 may be either an individual Subscriber or a corporate Subscriber.

CHAPTER IV RE-REGISTRATION OF PREPAID SUBSCRIBERS

Part One Re-registration of Prepaid Subscribers

Article 14

- (1) Telecommunications Service Operators shall perform Re-registration of Prepaid Subscribers whose data is not yet validated.
- (2) The Re-registration as referred to in paragraph (1) shall be carried out in accordance with the procedures for Registration as referred to in Article 4.

Article 15

- (1) Telecommunications Service Operators shall complete Re-registration of Prepaid Subscribers whose data is not validated yet no later than 12 (twelve) months from the date of effectiveness of this Ministerial Regulation.
- (2) Telecommunications Service Operators shall self-determine the timeline for Re-registration of Prepaid Subscribers whose data is not validated yet in accordance with the period as referred to in paragraph (1).
- (3) Telecommunications Service Operators shall report the progress of Re-registration process of Prepaid Subscribers as referred to in paragraph (1) every 3 (three) months to the BRTI during the Re-registration period.

Part Two

Telecommunications Services Blocking of
Prepaid Subscribers Failing to Re-register

Article 16

- (1) Telecommunications Service Operators shall block the services for Prepaid Subscribers whose data is not validated yet and who fail to Re-register in accordance with the timeline as referred to in Article 15 paragraph (2).
- (2) The service blocking as referred to in paragraph (1) shall be in the forms of:
 - a. blocking of outgoing call services and outgoing SMS if the Subscribers fail to Re-register at a maximum of 30 (thirty) calendar days from the notice of Re-registration implementation by Telecommunications Service Operators;
 - b. blocking of incoming call services and incoming SMS if the Subscribers fail to Re-register at a maximum of 15 (fifteen) calendar days from the blocking of services as referred to in letter a; and
 - c. blocking of internet data services if the Subscribers fail to Re-register at a maximum of 15 (fifteen) calendar days from the blocking of services as referred to in letter b.
- (3) Prepaid Subscribers whose services are blocked as referred to in paragraph (2) may continue to use all types of Telecommunications Services for Registration purposes as referred to in Article 2 paragraph (2).

CHAPTER V
SUBSCRIBERS' DATA STORAGE

Article 17

- (1) Telecommunications Service Operators shall store the Subscribers' data insofar as the Subscribers are still actively subscribing to the Telecommunications Services.
- (2) In the event that the Subscribers are no longer active in subscribing to the Telecommunications Services, Telecommunications Service Operators shall store the data of inactive Subscribers in accordance with the provisions of laws and regulations.
- (3) Telecommunications Service Operators shall keep the confidentiality of data and/or identity of the Subscribers unless otherwise stipulated by laws.
- (4) If necessary, Telecommunications Service Operators shall submit the Subscribers' identity as referred to in Article 3 upon request of:
 - a. Attorney General and/or Chief of the National Police of the Republic of Indonesia for certain criminal proceedings;
 - b. Investigators for the trial of other certain criminal proceedings in accordance with the provisions of laws and regulations;
 - c. Minister for policy-making purposes in the telecommunications field;
 - d. Government institution overseeing population affairs for Validation purposes; and
 - e. Other government institutions in accordance with the provisions of laws and regulations.
- (5) Telecommunications Service Operators shall have a certification of at a minimum level of ISO 27001 for information security in managing the Subscribers' data no later than 18 (eighteen) months from the effectiveness of this Ministerial Regulation.

CHAPTER VI
REPORTING

Article 18

- (1) Telecommunications Service Operators shall submit a report every 3 (three) months to the BRTI in the forms of:

- a. data of Prepaid Subscribers using 1 (one) NIK to register more than 10 (ten) MSISDN Numbers or Subscribers Numbers for each Telecommunications Service Operators; and
 - b. data of corporate Subscribers.
- (2) The Prepaid Subscribers data report as referred to in paragraph (1) letter a shall comprise at least:
- a. Subscribers' identity;
 - b. the quantity of cards and numbers used; and
 - c. purpose of use.
- (3) The Corporate Subscribers data report as referred to in paragraph (1) letter b shall comprise at least:
- a. company's identity;
 - b. identity of the person in charge;
 - c. the quantity of cards and numbers used; and
 - d. purpose of use.

CHAPTER VII SUPERVISION AND CONTROL

Article 19

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

CHAPTER VIII MISCELLANEOUS PROVISIONS

Article 20

Telecommunications Service Operators shall include a label stating "Registration is carried out in the outlet provided by the Telecommunications Service Operators or Self-registration" in capital letters measuring at least 12 points on the packaging of the Starter Pack produced from the effectiveness of this Ministerial Regulation.

Article 21

Telecommunications Service Operators shall disseminate the procedures for Registration to Subscribers and/or pre-Subscribers.

CHAPTER IX
ADMINISTRATIVE SANCTIONS

Article 22

Violations of the provisions of Article 2 paragraph (1), Article 9 paragraph (2) letter b, Article 11 paragraph (3), Article 11 paragraph (4), Article 14 paragraph (1), Article 15 paragraph (1), Article 15 paragraph (3), Article 16 paragraph (1), Article 17 paragraph (1), Article 17 paragraph (2), Article 17 paragraph (3), Article 17 paragraph (4), Article 17 paragraph (5), Article 18 paragraph (1), Article 20 and/or Article 21 shall be subject to administrative sanctions in the forms of:

- a. written reprimands;
- b. administrative fines;
- c. temporary suspension; and/or
- d. revocation of license.

CHAPTER X
TRANSITIONAL PROVISION

Article 23

As from the time at which this Ministerial Regulation comes into force, Telecommunications Service Operators that have carried out a Prepaid Registration mechanism shall adjust to this Ministerial Regulation no later than 6 (six) months from the date of promulgation of this Ministerial Regulation.

CHAPTER XI
CLOSING PROVISIONS

Article 24

As from the time at which this Ministerial Regulation comes into force, Regulation of Minister of Communications and Informatics Number

23/M.KOMINFO/10/2005 on Registration of Telecommunications Service
Subscribers shall be repealed and declared ineffective.

Article 25

This Ministerial Regulation shall come into force from the date of its promul-
gation.

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 1 August 2016

MINISTER OF COMMUNICATIONS AND INFORMATICS
OF THE REPUBLIC OF INDONESIA,

signed

RUDIANTARA

Promulgated in Jakarta
on 4 August 2016

DIRECTOR GENERAL OF LAWS AND REGULATIONS
MINISTRY OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA,

signed

WIDODO EKATJAHJANA

OFFICIAL GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2016 NUM-
BER 1135

DISCLAIMER:

This unofficial English translation shall only be used as reference, not as the official document. If there is any error and/or discrepancy of understanding between the provisions presented on this unofficial English translation and the original document in the Indonesian language, the original document shall prevail. Under no circumstances shall the team of translators, web administrators, and/or Ministry of Communication and Informatics of the Republic of Indonesia be liable for any direct or indirect damages arising out of the use or the error and/or discrepancy of understanding from this unofficial English translation.

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