

NEW TELECOMMUNICATIONS REGULATIONS

The Minister of Communications and Information issued Regulation No. 38 of 2014 as an amendment to Regulation No. 01/PER/M.KOMINFO/01/2010 on Organizing Telecommunications Networks. Amendments have been made to the following matters, among others:

- Telecommunications networks which do not need a certain radio frequency spectrum, area code and/or network access code to be allocated to them are restricted and permits must be issued through a selection process. The in-principle license is valid for 3 years, extendable once for 1 year.
- Permits for telecommunications networks for which a certain radio frequency spectrum, area code, and/or network access code does not need to be allocated will be issued after evaluation. Applications for an in-principle license for this type of network can be submitted at any time. The in-principle license is valid for 2 years, extendable once for 6 months.
- The requirements for an application for an in-principle license for a telecommunications network through evaluation are the following:
 1. deed of establishment and its approval from the ministry of law and human rights;
 2. any amendments to the articles of association and the receipt or approval from the authorized institution;
 3. Taxpayer registration number;
 4. certificate/letter of domicile
 5. business plan;
 6. statement of funds available from the bank;
 7. required technical data;
 8. statement that technical data, equipment, and facilities to be built satisfy the technical requirements, configuration and hierarchy of the telecommunications network according to the basic technical plan;
 9. for an existing company, tax clearance statement from the tax office;
 10. written statement or report on share ownership up to two levels above the applicant company, and the country of origin of the shareholders;
 11. written statement that there will be no change of shareholders while the in-principle license remains valid;

12. written statement that the company will not change the composition of its shareholders after obtaining the license, before it complies with its construction obligations, i.e. at least 50% of total construction must be completed within 5 years;
13. written statement that the applicant is not affiliated with any other company (at president director level).

Evaluation of the application the following factors will consider fair business competition, investment protection, balanced comparison between the supply and the demand side, and/or national efficiency.