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

**NUMBER 25 YEAR 2012**

**ON**

**SERVICE QUALITY STANDARD OF BASIC TELEPH0NE SERVICE OF LONG DISTANCE DIRECT DIALLING FIXED NETWORK**

**BY THE GRACE OF GOD THE ALMIGHTY**

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

Considering : a. that within the framework of increasing service quality to users and following the technological advancement in the provision of basic telephone service at long distance direct dialling fixed network, it is deemed necessary to undertake adjustment of service quality standard parameters and their yardsticks in line with the present condition;

b. that based on consideration referred to in point a, it is considered necessary to issue a Decree of the Minister of Communication and Information Technology on Service Quality Standard of Basic Telephone Service of Long Distance Direct Dialling Fixed 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);

1. 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);
2. 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;
3. 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;
4. Decision of the Minister of Communication Number KM. 21 Year 2001 on Provision of Telecommunication Service as amended latest by the Decree of the Minister of Communication and Information Technology Number 31/PER/M.KOMINFO/09/2008 on Amendment to the Decision of the Minister of Communication Number KM. 21 Year 2001 on Provision of Telecommunication Service;
5. Decree of the Minister of Communication and Information Technology Number 01 / PER / M.KOMINFO / 3 / 2010 on Provision of Telecommunication Network;
6. Decree of the Minister of Communication and Information Technology Number 03/P/M.Kominfo/5/2005 on Adjustment of Nomenclatures of a Number of Decisions/Decrees of the Minister of Communication which Regulate Special Material Contents in the Field of Post and Telecommunication;
7. Decree of the Minister of Communication and Information Technology Number 15/PER/M.KOMINFO/07/2011 on Adjustment of Nomenclatures of a Number of Decisions and/or Decrees of the Minister of Communication and Information Technology which Regulate Special Material Contents in the Field of Post and Telecommunication and Decisions and/or Decrees of the Director General of Post and Telecommunication;
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 SERVICE QUALITY**

 **STANDARD OF BASIC TELEPHONE SERVICE OF LONG**

 **DISTANCE DIRECT DIALLING FIXED NETWORK**

**CHAPTER I**

**GENERAL PROVISIONS**

Article 1

1. Unsuccessful on net call is an effort to call to a valid number, pressed correctly after dial tone but without busy tone , ring tone or answer signal within thirty (30) seconds since the digit number is last pressed at the destination number in the network owned by the same provider.

2. Unsuccessful off net call is an effort to call to a valid number, pressed correctly after dial tone but without busy tone, ring tone or answer signal within thirty (30) seconds since the digit number is last pressed at the destination number in the network owned by different provider.

3. *Intra Network Post Dialling Delay* is an interval between the time a user finishes the calling of a number in the network of the same service provider until the time he receives a ringing tone.

4. *Inter Network Post Dialing Delay* is an interval between the time a user finishes the calling of a number of network number of different service provider until the time he receives a ringing tone.

5. A customer is an individual, a legal entity, a government agency, that uses a telecommunication network and/or a basic telephone service based on contract with a service provider.

6. A consumer is an individual, a legal entity, a government agency that uses a telecommunication network and/or a basic telephone service which is not based on contract with a service provider.

7. A user is a customer and a consumer.

8. Work days are Mondays to Fridays except general/national holidays.

9. Busy hour is every hour in a busy period between 08.00 o’clock until 20.00 o’clock (eight o’clock p.m.) in accordance with local time during work days.

10. A service provider is a basic telephone service provider that uses fixed network namely telephone, facsimile, telex and telegraph.

11. *Force Majeure* are events that may happen any time, cannot be guessed and are outside human capacity to overcome with all kinds of efforts such as natural disaster, *fiber cut*, epidemic, revolt, riot, war, fire, sabotage, and general strike.

12. Third Party is a party other than service provider and user.

13. Badan Regulasi Telekomunikasi Indonesia (the Indonesian Telecommunication Regulatory Body) hereinafter abbreviated as BRTI is Directorate General of the Provision of Post and Information Technology, Directorate General of Resources and Equipment of Post and Information Technology, and the Indonesian Telecommunication Regulatory Committee.

**CHAPTER II**

**OBLIGATION OF LICENSE HOLDER**

Article 2

(1) Every basic telephone service provider of long distance direct dialling fixed network shall fulfil the service quality standard in accordance with the provision of this Ministerial Decree.

(2) Provider of basic telephone service of long distance direct dialling fixed network referred to in paragraph (1) shall make *Service Level Agreement* (SLA) with other connected service providers or other connected network providers with a view to ensuring the fulfilment of service quality standard.

**CHAPTER IIi**

**NETWORK PERFORMANCE**

**Part One**

**Unsuccessful On Net Call Standard**

Article 3

(1) The percentage of unsuccessful on net call may not be more than six percent (>6%).

(2) The calculation of unsuccessful on net call referred to in paragraph (1) is based on the following ratio:

 Unsuccessful on net call x 100%

 Tried calls

Article 4

The unsuccessful on net call calculated includes unsuccessful call in  *Trunk Exchange Time Division Multiplex* (TDM) and *softswitch.*

Article 5

Unsuccessful on net call due to *force majeure* is not included in the percentage calculation of unsuccessful on net call.

Article 6

The method of percentage calculation of unsuccessful on net call carried out by service provider is as follows :

a. record the existing traffic in the exchange to the direction of opposite exchange;

b. record the number of unsuccessful on net calls in all the tried calls in busy hours and calculate their percentage;

c. calculate the monthly percentage of unsuccessful on net calls in all exchanges;

d. calculate the percentage of unsuccessful on net calls for all exchanges within the period of twelve (12) months.

**Part Two**

**Unsuccessful Off Net Call Standard**

Article 7

(1) The percentage of unsuccessful off net call between networks may not be more than seven and a half percent (>7.5%).

(2) The percentage calculation of unsuccessful off net call referred to in paragraph (1) is based on the following ratio:

 Unsuccessful off net call x 100%

 Tried calls

Article 8

The unsuccessful off net call calculated includes unsuccessful call in *trunk exchange time division multiplex* (TDM) and *softswitch.*

Article 9

The unsuccessful off net call due to *force majeure* is not included in the percentage calculation of unsuccessful off net call.

Article 10

The method of percentage calculation of unsuccessful off net call carried out by service provider is as follows

a. record the existing traffic in the interconnection gate exchange to the direction of opposite interconnection gate exchange.

b. record the number of unsuccessful off net calls in all the tried calls in busy hours and calculate their percentage;

c. calculate the monthly percentage of unsuccessful off net calls in all exchanges;

d. calculate the percentage of unsuccessful off net calls for all exchanges within the period of twelve (12) months.

**Part Three**

***Intra Network Post Dialling Delay*****Standard**

Article 11

(1) The percentage of *Intra Network Post Dialling Delay* which is less than 13 seconds must be more than or equal to ninety-five percent (≥ 95%) of the number of tried calls.

(2) The percentage calculation of *Intra Network Post Dialling Delay* referred to in paragraph (1) is based on the following ratio:

 Number of *Delays* less than 13 seconds x 100%

 Number of all tried calls in the testing period

Article 12

The percentage calculation of *Intra Network Post Dialling Delay* is based on testing of calls at random or service observation carried out during busy hours.

Article 13

 For testing the calls at random, the size of samples must be at least thirty (30) calls for each *trunk* code area and the period between two (2) testings is two (2) minutes.

Article 14

The method of percentage calculation of *Intra Network Post Dialling Delay* carried out by service provider is as follows :

a. carry out at least thirty (30) calls at random during busy hours for each *trunk* code area with the period between each call is two (2) minutes;

b. record the number of calls whose *delay*  is less than thirteen (13) seconds and calculate the percentage based on ratio referred to in Article 12 (**Article 11?**) paragraph (2);

c. calculate the average percentage of calls with the *delay* less than thirteen (13) seconds

.

**Part Four**

***Inter Network Post Dialling Delay*****Standard**

//\*

Article 15

(1) The percentage of *Inter Network Post Dialling Delay* less than thirteen (13) seconds must be more than or equal to ninety-five percent (≥ 95%) of the number of tried calls.

(2) The percentage calculation of *Inter Network Post Dialling Delay* referred to in paragraph (1) is based on the following ratio:

 Number of *delays* less than 13 seconds x 100%

 Number of all tried calls during the period of testing

Article 16

The calculation of *Inter Network Post Dialling Delay* is based on testing of calls at random or service observation carried out in busy hours.

Article 17

For testing calls at random, the size of samples must at least be thirty (30) calls for each *trunk* code area directly connected to domestic gate exchange and maximum interval between two (2) testings is two (2) minutes.

Article 18

The method of percentage calculation of *Inter Network Post Dialling Delay* carried out by service provider is as follows :

a. carry out at least thirty (30) calls at random during busy hours for each *trunk* code area directly connected to domestic gate exchange and interval between each call is two (2) minutes;

b. record the number of calls whose *delay*  is less than thirteen (13) seconds and calculate the percentage based on ratio referred to in Article 15 paragraph (2);

c. calculate the average percentage of *delay* less than thirteen (13) seconds for all *trunks* every month.

**CHAPTER IV**

**REPORTING**

.

Article 19

(1) Service provider shall keep all data records of the calculation of parameters of service quality standard and shall report the achievement of service quality standard to BRTI..

(2) Report on the achievement of service quality standard referred to in paragraph (1) must have been delivered to BRTI at the latest six (6) weeks counting from 31 December as the final period of the report.

Article 20

(1) Report on the achievement of service quality standard referred to in Article 19 must conform with the format referred to in the Attachment which is an inseparable part of this Ministerial Decree.

(2) Report on the achievement of service quality standard referred to in paragraph (1) must be furnished with :

a. supporting data in the form of *soft copy* and *hard copy*; and

b. declaration that the report is made truly and accurately and signed by the president director on sufficient revenue stamp.

Article 21

BRTI must publish the achievement of service quality standard of service providers in accordance with the provision of this Ministerial Decree.

 Article 22

Service providers shall publish the achievement of service quality standard in their respective formal websites and must be renewed every three (3) months.

**CHAPTER V**

**SANCTION AND APPRECIATION**

Article 23

(1) Each service provider that that does not comply with the provision of service quality standard in line with the yardsticks for every parameter referred to in the Attachment of this Ministerial Decree is imposed with sanction in the form of fine the amount of which is in accordance with the provision of the prevailing legal regulation.

(2) The mechanism for imposing fine sanction referred to in paragraph (1) is regulated in a separate Ministerial Decree..

Article 24

The fine sanction referred to in Article 23 does not eliminate the obligation of service providers to provide compensation for the loss incurred to users as a consequence of carelessness of service providers in complying with the service quality standard.

Article 25

(1) BRTI provides appreciation to service providers that comply with service quality standard.

(2) The appreciation referred to in paragraph (1) is in the form of announcement regarding achievement of service quality standard of service providers and provision of certificate of appreciation.

**CHAPTER VI**

**TRANSITIONAL PROVISION**

Article 26

By the coming into force of this Ministerial Decree, service performance and network performance stipulated in every license of the provision of basic telephone service of long distance direct dialling fixed network is declared no more valid and shall refer to the service quality standard regulated in the provision of this Ministerial Decree.

**CHAPTER VII**

**FINAL PROVISIONS**

Article 27

At the time of the coming into force of this Ministerial Decree, the Decree of the Minister of Communication and Information Technology Number 10/PER/M.KOMINFO/04/2008 on Service Quality Standard of Basic Telephone Service of Long Distance Direct Dialling Fixed Network is abrogated and declared no more valid.

Article 28

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

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 7, 2012

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

Signed

**TIFATUL SEMBIRING**

Promulgated at Jakarta

On October 1, 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 959.

For copy conform to the original,

Ministry of Communication and Information Technology,

 Head of Legal Bureau

 Signed

 D. Susilo Hartono