

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

NUMBER : 492 YEAR 2012

ON

**DEFINING THE AMOUNT AND TIME OF PAYMENT OF THE LICENSE FEE OF
RADIO FREQUENCY SPECTRUM OF THE THIRD YEAR FOR THE LICENSE OF
RADIO FREQUENCY SPECTRUM BAND FOR THE PROVISION OF CELLULAR
MOBILE NETWORK AT RADIO FREQUENCY BAND OF 900 MHz AND 1800 MHz
OF PT. XL AXIATA, Tbk**

BY THE GRACE OF GOD THE ALMIGHTY

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

Considering: .that based on the provision of Article 6B paragraph (4) and Article 6E of the Government Regulation of the Republic of Indonesia Number 76 Year 2010 on Amendment to the Government Regulation of the Republic of Indonesia Number 7 Year 2009 on Types and Tariffs of the Kinds of Non-Tax State Income Applicable at the Department of Communication and Information Technology, it is considered necessary to issue a Decision of the Minister of Communication and Information Technology on Defining the Amount and Time of Payment of the License Fee of Radio Frequency Spectrum of the Third Year for the License of Radio Frequency Spectrum Band for the Provision of Cellular Mobile Network at Radio Frequency Band of 900 MHz, and 1800 MHz of PT. XL AXIATA, Tbk...

Bearing in mind: 1. Law of the Republic of Indonesia Number 20 Year 1997 on Non-Tax State Income (State Gazette of the Republic of Indonesia Number 43 Year 1997, Supplement to the State Gazette of the Republic of Indonesia Number 3687);

2. Law of the Republic of Indonesia Number 36 Year 1999 on Telecommunication (State Gazette of the Republic of

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Indonesia Number 154 Year 1999, Supplement to the State Gazette of the Republic of Indonesia Number 3881);

3. 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);
4. 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);
5. Government Regulation of the Republic of Indonesia Number 7 Year 2009 on Types and Tariffs of the Kinds of Non-Tax State Income Applicable at the Department of Communication and Information Technology (State Gazette of the Republic of Indonesia Number 20 Year 2009, Supplement to the State Gazette of the Republic of Indonesia Number 4974) as amended by the Government Regulation of the Republic of Indonesia Number 76 Year 2010 on Amendment to the Government Regulation of the Republic of Indonesia Number 7 Year 2009 on Types and Tariffs of the Kinds of Non-Tax State Income Applicable at the Department of Communication and Information Technology (State Gazette of the Republic of Indonesia Number 135 Year 2010, Supplement to the State Gazette of the Republic of Indonesia Number 5171);
6. Government Regulation of the Republic of Indonesia Number 29 Year 2009 on Procedure of Determining the Amount, Payment, and Deposit of the Owed Non-Tax State Income (State Gazette of the Republic of Indonesia Number 58 Year 2009, Supplement to the State Gazette of the Republic of Indonesia Number 4995);
7. 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

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the Republic of Indonesia Number 47 Year 2009 on Formation and Organization of State Ministries of the Republic of Indonesia;

8. 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;
9. Decree of the Minister of Communication and Information Technology Number 17/PER/M.KOMINFO/10/2005 on Procedure of Licensing and Operational Provision of Using Radio Frequency Spectrum as amended by the Decree of the Minister of Communication and Information Technology Number 23/PER/M.KOMINFO/12/2010 on Amendment to the Decree of the Minister of Communication and Information Technology Number 17/PER/M.KOMINFO/10/2005 on Procedure of Licensing and Operational Provision of Using Radio Frequency Spectrum;
10. Decree of the Minister of Communication and Information Technology Number 19/PER.KOMINFO/10/2005 on Guideline for the Implementation of Tariffs on Non-Tax State Income emanating from the License Fee of Radio Frequency as amended several times, the latest by the Decree of the Minister of Communication and Information Technology Number 24/PER/M.KOMINFO/12/2010 on Third Amendment to the Decree of the Minister of Communication and Information Technology Number 19/PER.KOMINFO/10/2005 on Guideline for the Implementation of Tariffs on Non-Tax State Income emanating from the License Fee of Radio Frequency;
11. Decree of the Minister of Communication and Information Technology Number 29/PER./M.KOMINFO/07/2009 on Table of Allocation of Radio Frequency Spectrum of Indonesia as amended

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by the Decree of the Minister of Communication and Information Technology Number 40/PER./M.KOMINFO/10/2009 on Amendment to the Decree of the Minister of Communication and Information Technology Number 29/PER./M.KOMINFO/07/2009 on Table of Allocation of Radio Frequency Spectrum of Indonesia;

12. Decree of the Minister of Communication and Information Technology Number 17/PER./M.KOMINFO/10/2010 on Organization and Work Method of the Department of Communication and Information Technology;

13. Decision of the Minister of Communication and Information Technology Number 490 Year 2012 on Defining the Value (N x K) and the Number of Population at the Calculation of the License Fee of Radio Frequency Spectrum of the Third Year for the License of Radio Frequency Spectrum Band for the Provision of Cellular Mobile Network at Radio Frequency Band of 800 MHz, 900 MHz, and 1800 MHz and the Provision of Wireless Local Fixed Network with Limited Mobility at Radio Frequency Band of 800 MHz.

DECIDES

To issue: **DECISION OF THE MINISTER OF COMMUNICATION AND INFORMATION TECHNOLOGY OF THE REPUBLIC OF INDONESIA ON DEFINING THE AMOUNT AND TIME OF PAYMENT OF THE LICENSE FEE OF RADIO FREQUENCY SPECTRUM OF THE THIRD YEAR FOR THE LICENSE OF RADIO FREQUENCY SPECTRUM BAND FOR THE PROVISION OF CELLULAR MOBILE NETWORK AT RADIO FREQUENCY BAND OF 900 MHz AND 1800 MHz OF PT. XL AXIATA, Tbk..**

FIRST : Fix the amount of the License Fee of Radio Frequency Spectrum of the Third Year for the License of Radio Frequency Spectrum Band (Y₃) for the Provision of Cellular Mobile Network at Radio Frequency Band of 900 MHz and 1800 MHz of PT. XL AXIATA, Tbk. as follows:.

- a. Radio frequency band of 900 MHz = Rp. 533,582,985,147.-
(Five hundred and thirty-three billion five hundred and eighty-two million nine hundred and eighty-five thousand hundred and forty-seven rupiah)

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- b. Radio frequency band of 1800 MHz = Rp.267,052,592,199.- (Two hundred and sixty-seven billion fifty-two million five hundred and ninety-two thousand hundred and ninety-nine rupiah)

with the details of calculation referred to in Attachment I which is an inseparable part of this Ministerial Decision.

- SECOND : PT. XL AXIATA, Tbk may make payment of the License Fee of Radio Frequency Spectrum of the Third Year for the License of Radio Frequency Spectrum Band (Y₃) referred to in the FIRST Dictum in stages since the issuance of this Ministerial Decision and shall pay up at the latest on 15 December 2012..
- THIRD : If the License Fee of Radio Frequency Spectrum of the Third Year for the License of Radio Frequency Spectrum Band (Y₃) referred to in the FIRST Dictum is paid beyond the due date of 15 December 2012, a sanction of fine is imposed in accordance with the provision of legal regulation.
- FOURTH : The payment of the License Fee of Radio Frequency Spectrum of the Third Year for the License of Radio Frequency Spectrum Band (Y₃) in stages as referred to in the SECOND Dictum is implemented in accordance with the mechanism referred to in Attachment II which is an inseparable part of this Ministerial Decision.
- FIFTH : This Ministerial Decision shall come into force on the date of its issuance.

Done at: JAKARTA
On : 29 August, 2012

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

Signed

TIFATUL SEMBIRING

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ATTACHMENT I
DECISION OF THE MINISTER OF COMMUNICATION AND INFORMATION
TECHNOLOGY

NUMBER : 492 YEAR 2012

ON

DEFINING THE AMOUNT AND TIME OF PAYMENT OF THE LICENSE FEE OF RADIO
 FREQUENCY SPECTRUM OF THE THIRD YEAR FOR THE LICENSE OF RADIO
 FREQUENCY SPECTRUM BAND FOR THE PROVISION OF CELLULAR MOBILE
 NETWORK AT RADIO FREQUENCY BAND OF 900 MHz AND 1800 MHz OF PT. XL
 AXIATA, Tbk.

THE AMOUNT OF THE FEE FOR THE RIGHT TO USE RADIO FREQUENCY SPECTRUM OF THE THIRD YEAR FOR
 THE LICENSE OF RADIO FREQUENCY SPECTRUM BAND (Y₃) FOR THE PROVISION OF CELLULAR MOBILE
 NETWORK AT RADIO FREQUENCY BAND OF 900 MHz AND 1800 MHz

Provider of Cellular Mobile Network / Provider of Wireless Local Fixed Network with Limited Mobility	Radio Frequency Band	B [MHz]	(N x K)	I [Rp/MHz]	C [Kilopopulation]	BHP ISR Period January 2009 up to December 2009 (X)	(N x K) x I x C x B (Rupiah)	BHP IPSFR Third Year (Y ₃ = X + (60% x Δ)) (Rupiah)
PT. XL AXIATA, Tbk	900 MHz	15	25.29542	6202	241,564,863	481,269,880,034	568,458,388,555	533,582,985,147
	1800 MHz	15	14.45022	5465	241,564,863	238,410,534,453	286,147,297,363	267,052,592,199

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

Signed

TIFATUL SEMBIRING

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 original version in Indonesian language*

ATTACHMENT II

DECISION OF THE MINISTER OF COMMUNICATION AND INFORMATION TECHNOLOGY OF THE REPUBLIC OF INDONESIA
NUMBER : 492 YEAR 2912

ON DEFINING THE AMOUNT AND TIME OF PAYMENT OF THE LICENSE FEE OF RADIO FREQUENCY SPECTRUM OF THE THIRD YEAR FOR THE LICENSE OF RADIO FREQUENCY SPECTRUM BAND FOR THE PROVISION OF CELLULAR MOBILE NETWORK AT RADIO FREQUENCY BAND OF 900 MHz AND 1800 MHz OF PT. XL AXIATA, Tbk.

THE STAGE OF PAYMENT OF THE LICENSE FEE OF RADIO FREQUENCY SPECTRUM OF THE THIRD YEAR FOR THE LICENSE OF RADIO FREQUENCY SPECTRUM BAND (Y₃)

STAGE	TIME	AMOUNT
1	15 September 2012	25% x BHP IPSFR
2	15 October 2012	25% x BHP IPSFR
3	15 November 2012	25% x BHP IPSFR
4	15 December 2012	25% x BHP IPSFR

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

Signed

TIFATUL SEMBIRING

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