

**REGULATION OF THE MINISTER OF COMMUNICATION AND INFORMATICS OF  
THE REPUBLIC OF INDONESIA  
NUMBER 36 OF 2014  
ON  
PROCEDURES FOR REGISTRATION OF ELECTRONIC SYSTEM PROVIDERS<sup>1</sup>**

BY THE GRACE OF GOD ALMIGHTY

MINISTER OF COMMUNICATION AND INFORMATICS OF THE REPUBLIC OF  
INDONESIA,

Considering:

that in order to enforce provisions under Article 5 paragraph (5) of Regulation of the Government [Number 82 of 2012](#) on Organization of Electronic System and Transaction, it is deemed necessary to establish Regulation of the Minister of Communication and Informatics on Procedures for Registration of Electronic System Providers;

In view of:

1. Law [Number 11 of 2008](#) on Electronic Information and Transaction (State Gazette of the Republic of Indonesia of 2008 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 4843);
2. Law [Number 39 of 2008](#) on State Ministry (State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to the State Gazette of the Republic of Indonesia Number 4916);
3. Law [Number 25 of 2009](#) on Public Services (State Gazette of the Republic of Indonesia of 2009 Number 112, Supplement to the State Gazette of the Republic of Indonesia Number 5038);

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4. Regulation of the President [Number 47 of 2009](#) on Establishment and Organization of State Ministry, as recently amended by Regulation of the President [Number 13 of 2013](#) on Fifth Amendment to Regulation of the President [Number 47 of 2009](#) on Establishment and Organization of State Ministry;
5. Regulation of the Government [Number 82 of 2012](#) on Organization of Electronic System and Transaction (State Gazette of the Republic of Indonesia of 2012 Number 189, Supplement to the State Gazette of the Republic of Indonesia 5348);
6. Regulation of the Government [Number 96 of 2012](#) on Implementation of Law Number 25 of 2009 on Public Services (State Gazette of the Republic of Indonesia of 2012 Number 215, Supplement to the State Gazette of the Republic of Indonesia 5357);
7. Regulation of the Minister of Communication and Informatics [Number 17/PER/M.KOMINFO/10/2010](#) on Organization and Working Procedures of Ministry of Communication and Informatics;

HAS DECIDED:

To establish:

REGULATION OF THE MINISTER OF COMMUNICATION AND INFORMATICS ON PROCEDURES FOR REGISTRATION OF ELECTRONIC SYSTEM PROVIDERS.

## **CHAPTER 1**

### **GENERAL PROVISIONS**

#### **Article 1**

Under this Regulation of the Minister, the following definitions are employed:

1. Electronic System is a set of electronic devices and procedures which function to prepare, collect, process, analyze, store, display, publish, send, and/or disseminate Electronic Information.

2. Electronic System Provider is any Person, state organizer, Enterprise, and the public who provide, manage, and/or operate Electronic System, independently or jointly, toward Electronic System User for the needs of oneself and/or other parties.
3. Organization of Electronic System is utilization of Electronic System by state organizer, Person, Enterprise, and/or the public.
4. Public Service is activity or set of activities in the event of fulfillment of service needs in accordance with laws and regulations for all citizens and residents in regards to goods, services, and/or administrative services, as provided by public service provider.
5. Executive of Electronic System is member of board of directors or officer who is equivalent to board of directors or officer underneath it who has the authority on handling and/or be held liable against electronic system as owned or used for public service.
6. Paid Digital Content is product in the forms of one or several software, either data, application, or other digital product which is commercially traded or transacted.
7. Delivery of Paid Digital Content is delivery or transfer of Paid Digital Content from certain Electronic System to another Electronic System or ware on the side of the user in the forms of computer or those which function as computer, namely Server, Desktop Computer, Laptop/Notebook/Tablet Computer, or Smartphone.
8. Director General is Director General which handles informatics application.
9. Director is Director which handles e-Business.

## **Article 2**

- (1) This Regulation of the Minister aims to provide guideline for Electronic System Provider in performing registration of Electronic System.
- (2) Scope of this Regulation of the Minister, namely:
  - a. determination of scope of type of Electronic System which is mandatory to be registered; and
  - b. procedures for registration of Electronic System Provider.

## **CHAPTER II**

### **ORGANIZATION OF ELECTRONIC SYSTEMS**

#### **Article 3**

- (1) Electronic System Provider for Public Service must perform registration;
- (2) Electronic System Provider for non-Public-Service may perform registration.

#### **Article 4**

- (1) Electronic System Provider for Public Service encompasses:
  - a. state-organizer institution which consists of state agency and/or governmental agency and/or Provider's Task Force within its scope;
  - b. corporation in the forms of State-Owned Enterprise and/or Regionally-Owned Enterprise and/or Provider's Task Force within its scope;
  - c. independent agency which is established based on Law and/or Provider's Task Force within its scope; or
  - d. other incorporated entity which organizes Public Service in the event of performance of State Mission.
- (2) Electronic System Provider for Public Service as referred to in paragraph (1) letters a and c is addressed under separate regulation of the minister.


#### **Article 5**

- (1) Electronic System Provider which is mandatory to perform registration as referred to under Article 4 paragraph (1) letter b and letter d is Electronic System Provider which possesses:
  - a. Online portal, site or application via internet which is used to facilitate offering and/or trading of goods and/or services;
  - b. Electronic System, of which, online payment and/or other financial transaction facilities through data communication or internet network exist within it;
  - c. Electronic System which is used for the processing of electronic information containing or requiring deposit of funds or those which are treated equivalent with funds;

- d. Electronic System which is used for the processing, operation, or storage of data relating to facility in connection with user's data for public service operational activity relating to financial transaction and trading activities;
  - e. Electronic System which is used for delivery of paid digital content through data network, either by downloading via portal/site, delivery through e-mail, or via other application, to user's device.
- (2) Electronic System Provider for Public Service other than as referred to in paragraph (1) is addressed under separate Regulation of the Minister.

### **Article 6**

Electronic System Provider should use Indonesian Top-Level Domain Name for Electronic System in the forms of site.



## **CHAPTER III**

### **PROCEDURES FOR REGISTRATION OF ELECTRONIC SYSTEM PROVIDER**

#### **First Division**

#### **Filing of Registration**

#### **SAMPINGAN SAMPE KAYA**

### **Article 7**

- (1) Registration is filed by Executive of Electronic System with Director General, specifically Director.
- (2) In case Electronic System relates to other regulatory and supervisory institution, then registration is performed after a set of licensing procedures or those relating to it from regulatory and supervisory institution has been fulfilled.
- (3) Electronic System Provider may simultaneously register more than 1 (one) Electronic System.

### **Article 8**

- (1) Filing of registration application encompasses:
  - a. Filling-out of registration form; and

- b. Enclosure of prerequisite registration document.
- (2) Completeness of registration document for Registrant in the forms of Incorporated Entity is as follows:
- a. recent company's registration certificate;
  - b. recent company's domicile certificate;
  - c. identity of Executive;
  - d. Taxpayer Identification Number [*Nomor Pokok Wajib Pajak* – NPWP];
  - e. profile of Electronic System Provider;
  - f. technical outline of Electronic System; and
  - g. Indonesian Top-Level Domain Name, for Electronic System in the forms of site.
- (3) Completeness of registration document for individual Registrant is as follows:
- a. identity of Executive;
  - b. business domicile certificate (if any);
  - c. Taxpayer Identification Number [*Nomor Pokok Wajib Pajak* – NPWP];
  - d. profile of Electronic System Provider;
  - e. Technical outline of Electronic System; and
  - f. Indonesian Top-Level Domain Name, for Electronic System in the forms of site.
- (4) Profile of Electronic System Provider as referred to in paragraph (2) letter d and paragraph (3) letter c consists of:
- a. name of entity;
  - b. form of entity;
  - c. data on entity; and
  - d. address of entity.
- (5) Technical Outline of Electronic System encompasses:
- a. software;
  - b. hardware;
  - c. expert;
  - d. description on existence of governance procedure or guidance for: use of Electronic System, personal data protection, and security system;
  - e. scope of public service; and
  - f. description on interoperability with Electronic System of other party, if any.

**Second Division**  
**Verification of Document**

**Article 9**

- (1) Against enclosure of registration document, verification of document is performed in order to ascertain completeness of document.
- (2) Verification of document against registration document is performed [sic] 10 (ten) business days at maximum [sic] since the date when registration was received.
- (3) In case completeness of registration document is not fulfilled or verification result shows that the filling-out is incomplete, Director issues rejection no later than 2 (two) business days since the date when registration was received.

**Third Division**  
**Validation of Registration**

**Article 10**

- (1) Against completeness of registration document and verification of complete filling-out, Director issues Registration Certificate no later than 3 (three) business days since the date when verification result on filling-out was declared to be complete.
- (2) Director inputs Registration Certificate into List of Electronic System Provider.

**Article 11**

- (1) Validity period of Registration Certificate is 5 (five) years since validation date.
- (2) Extension of Registration Certificate is performed in accordance with registration procedures as referred to under Article 7.
- (3) Registration application for extension is filed no later than 5 (five) business days prior to the expiration of previous Registration Certificate.

**Fourth Division**  
**Data Update**

**Article 12**

- (1) Modification to data on Electronic System Provider must be reported to Director.
- (2) Modification to data as referred to in paragraph (1), specifically relating to:
  - a. modification to Executive of Electronic System Provider;
  - b. modification to profile of provider relating to modification to name and/or domicile;
  - c. modification relating to modification to scope of public service, for Electronic System Provider for Public Service.

**Fifth Division**  
**Registration Process**

**Article 13**

- (1) Processes of registration application, validation, and entire administration process as referred to under Article 8, Article 9, Article 10, and Article 12, are performed online via internet network.
- (2) Registration application form, provider's form, and technical outline as referred to under Article 8 are addressed in appendix which is an integral part to this Regulation of the Minister.

**Sixth Division**  
**Revocation of Validation of Registration**

**Article 14**

Revocation of Registration Certificate of Electronic System Provider may be performed based on the following grounds:

- a. Electronic System Provider fails to report modification to data as referred to under Article 12 paragraph (2);



- b. Electronic System Provider commits violation of provisions under laws and regulations.

## **CHAPTER IV EVALUATION**

### **Article 15**

Director may perform incidental evaluation against Electronic System Provider over Organization of its Electronic System.



**CHAPTER V**  
**FINAL PROVISIONS**

**Article 16**

This Regulation of the Minister enters into force on its promulgation date.

For the purposes of public cognizance, it has been ordered that the promulgation of this Regulation of the Minister should be achieved through its publication in the Official Gazette of the Republic of Indonesia.

Established in Jakarta  
on 29 September 2014

MINISTER OF COMMUNICATION AND INFORMATICS OF THE REPUBLIC OF  
INDONESIA,

signed.

TIFATUL SEMBIRING

Promulgated in Jakarta  
on 30 September 2014

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

AMIR SYAMSUDIN

OFFICIAL GAZETTE OF THE REPUBLIC OF INDONESIA OF 2014 NUMBER 1432

APPENDIX  
REGULATION OF THE MINISTER OF  
COMMUNICATION AND INFORMATICS OF THE  
REPUBLIC OF INDONESIA  
NUMBER 36 OF 2014  
ON PROCEDURES FOR REGISTRATION OF  
ELECTRONIC SYSTEM PROVIDERS

**EXAMPLE OF APPLICATION FOR REGISTRATION OF ORGANIZATION OF  
ELECTRONIC SYSTEMS**

To the Honorary,  
e-Business Director  
in  
Jakarta



*[Name of Enterprise]* hereby files Application to register Electronic System which is organized by us for Public Service *[Write form of Public service]*. We hereby also submit completeness of document which is submitted by us via online.

1. Number of : *[Number of application letter as issued by Provider]*  
Application Letter
2. City : *[Input city of domicile of Provider]*
3. Day, Date :
4. Registrant : *[Name]*  
(Executive) *[Number of Resident's Identity Card (KTP)]*  
*[Position in the Organization of Entity]*
5. Contact of : *[Phone Number 1, Phone Number 2, etc.]*  
Register *[Fax Number 1, Fax Number 2, etc.]*  
(Executive) *[e-Mail]*

*[Cellphone Number 1, Cellphone Number 2, etc.]*

Agree to submit application for registration of Electronic System Provider and has completed required document and/or data and is held liable for veracity of document and/or data in question.

Received on date ... Hour ...

Registration number: ...

*(Document which is received on business day after 14.00 o'clock will be processed starting from 09.00 o'clock of the following day)*

*(Document which is received on business day prior to 14.00 o'clock will be processed on 09.00 o'clock of such business day)*

*(Document which is received on non-business-day will be processed on 09.00 o'clock of the following day)*



**EXAMPLE OF FORM ON  
PROFILE OF ELECTRONIC SYSTEM PROVIDER**

1. Name of Entity : *[Filled-out with Name of Entity]*
  
2. Form of Entity : *[Individual/Enterprise/Incorporated Entity/Firm/mention otherwise]*  
*[Limited Partnership (CV)/Firma Partnership/Limited Liability Company (PT)/Civil Partnership/mention otherwise]*
  
3. Data on Legal Entity : *[Number and Date of Validation of Deed of Validation of Judiciary]*  
*[Number and Data of Official Gazette Document]*  
*[Number and Date of Company's Registration Certificate, Institution as Issuer of Company's Registration Certificate (TDP)]*
  
4. Address of Entity : *[Write complete address of Entity]*  
(In Accordance with Domicile's Certificate) *[Name of Building, Floor]*  
*[Street Name, as followed with Lot Number etc.]*  
*[City, Province, Postal Code]*

## EXAMPLE OF FORM ON TECHNICAL OUTLINE OF ELECTRONIC SYSTEM

### 1. SYSTEM CONFIGURATION OF HARDWARE

*[Provide image on configuration of hardware and description on hardware system that is used, as attached with image on configuration of hardware, as well as internal network connection and external network connection]*

note: for provider which establishes center of its electronic system by itself, describes/inputs type of ware, mark, type for certified ware (by directorate of Standardization).

### 2. SYSTEM CONFIGURATION OF SOFTWARE

*[Provide image on software regarding software system that is used, as attached with image on configuration of software system, as well as interface (tampilan antar muka) from internal side and interface (tampilan antar muka) from user side of Electronic System]*

### 3. COMPOSITION OF EXPERTS

*[Provide composition of experts which is planned to complete the operational of Electronic System, mention type of expertise, level of experience, and number of experts for each type of expertise]*

*[Type of expertise, level of experience, and number of experts]*

### 4. GOVERNANCE GUIDANCE

*[Provide list of governance document of Electronic System which encompasses inter alia: promised service level, promised level of information security, security of information, and appropriate internal communication mean]*

### 5. DESCRIPTION ON SECURITY SYSTEM

*[Provide description on provision of audit trail from activity on Organization of Electronic System]*

*[Provide description on procedure and mean for security of Electronic System in order to prevent interference, failure, and other losses risks.]*

*[Provide description on ability of Electronic System in case of redisplaying electronic information and/or electronic information in intact manner.]*

*[Provide description on what kind of information which is published to user of Electronic System.]*

*[Provide description on how provider provides information from Electronic System, if there is lawful (sah) request from law-enforcement agency.]*

## **6. PROCEDURES FOR PERSONAL DATA PROTECTION**

*[Provide description on how Provider implements guarantee on personal data protection in accordance with the needs of laws and regulations.]*

*[Provide description on how liability of provider against user of Electronic System if there is failure in personal data protection as managed by Provider or within the Electronic System.]*

## **7. SCOPE OF PUBLIC SERVICE**

*[Provide details on what kind of Public Service which is provided to User of Electronic System.]*

*[Provide details on what kind of education which is performed toward User of Electronic System.]*

*[Provide description on handling procedures for filing of complaint by User of Electronic System.]*

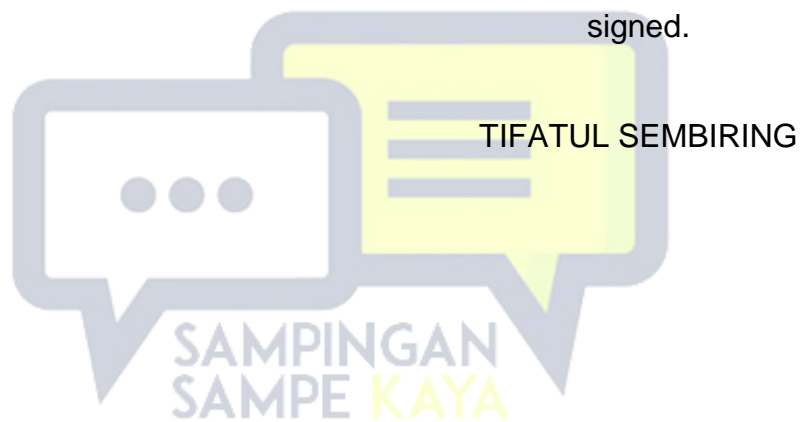
*[Provide description on what kind of features which are provided by Electronic System for Public Service, including and not limited to performing correction, canceling order, giving confirmation/re-confirmation, choosing to forward or stop performing the next activity, viewing information which is delivered, checking status on success or failure regarding the use of electronic transaction, and reading agreement before performing electronic transaction]*

**8. DESCRIPTION ON INTEROPERABILITY WITH ELECTRONIC SYSTEM OF OTHER PARTY (IF ANY)**

*[Provide description whether Electronic System is also connected with Electronic System of other party for the needs of service interoperability, for instance: Payment transaction from a Payment-System provider, whereas, the result of payment transaction will be in interoperability with electronic system of other party, for instance, ticketing system, school registration, or other forms of services.]*

MINISTER OF COMMUNICATION AND  
INFORMATICS OF THE REPUBLIC OF  
INDONESIA,

signed.  
TIFATUL SEMBIRING



SAMPINGAN  
SAMPE KAYA