



COPY

**REGENT SUKOHARJO
PROVINCE OF CENTRAL JAVA
REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 15 OF 2018**

ABOUT

**CHANGES TO THE REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 8 OF 2011 CONCERNING ARRANGEMENT AND DEVELOPMENT
TELECOMMUNICATIONS TOWER**

BY THE GRACE OF GOD ALMIGHTY

REGENT SUKOHARJO,

- Considering: a. that based on Law Number 23 of 2014 concerning Regional Government as amended several times, most recently by Law Number 9 of 2015 concerning the Second Amendment to Law Number 23 of 2014 concerning Regional Government, the Regional Government does not have the authority to manage resource management, power, and postal equipment, as well as informatics;
- b. that based on the Letter of the Regional Secretary of Central Java Province Number: 555/0010919 dated 20 July 2017 concerning the Management and Control of Telecommunication Towers, the authority to manage telecommunications is the authority of the Ministry of Communication and Information Technology;
- c. that based on the considerations as intended in letters a and b, Sukoharjo Regency Regional Regulation Number 8 of 2011 concerning Arrangement and Construction of Telecommunication Towers needs to be amended;
- d. that based on the considerations as intended in letters a, b and c, it is necessary to stipulate a Regional Regulation concerning Amendments to Sukoharjo Regency Regional Regulation Number 8 of 2011 concerning Arrangement and Construction of Telecommunication Towers;

Bearing in mind: 1. Article 18 paragraph (6) of the 1945 Constitution of the Republic of Indonesia;

2. Law Number 13 of 1950 concerning Internal Regency Formation Regions Central Java Province Environment;
3. Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles (State Gazette of the Republic of Indonesia of 1960 Number 104, Supplement to State Gazette of the Republic of Indonesia Number 2013);

4. Law Number 8 of 1981 concerning the Criminal Procedure Code (State Gazette of the Republic of Indonesia of 1981 Number 76, Supplement to the State Gazette of the Republic of Indonesia Number 3209);
5. Law Number 5 of 1999 concerning Prohibition of Monopolistic Practices and Unfair Business Competition (State Gazette of the Republic of Indonesia of 1999 Number 33, Supplement to State Gazette of the Republic of Indonesia Number 3817);
6. Law Number 36 of 1999 concerning Telecommunications (State Gazette of the Republic of Indonesia of 1999 Number 154, Supplement to State Gazette of the Republic of Indonesia Number 3881);
7. Law Number 28 of 2002 concerning Buildings (State Gazette of the Republic of Indonesia of 2002 Number 134, Supplement to State Gazette of the Republic of Indonesia Number 4247);
8. Law Number 26 of 2007 concerning Spatial Planning (State Gazette of the Republic of Indonesia of 2007 Number 68, Supplement to State Gazette of the Republic of Indonesia Number 4726);
9. Law Number 1 of 2009 concerning Aviation (State Gazette of the Republic of Indonesia of 2009 Number 1);
10. Law Number 32 of 2009 concerning Environmental Protection and Management (State Gazette of the Republic of Indonesia of 2009 Number 140, Supplement to State Gazette of the Republic of Indonesia Number 5059);
11. Law Number 12 of 2011 concerning the Formation of Legislation (State Gazette of the Republic of Indonesia of 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234);
12. Law Number 6 of 2014 concerning Villages (State Gazette of the Republic of Indonesia of 2014 Number 7, Supplement to State Gazette of the Republic of Indonesia Number 5495);
13. Law Number 23 of 2014 concerning Regional Government (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as amended several times, most recently by Law Number 9 of 2015 concerning the Second Amendment to the Law. Law Number 23 of 2014 concerning Regional Government (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to State Gazette of the Republic of Indonesia Number 5679);

14. **Government Regulation Number 27 of 1983 concerning Implementation of the Criminal Procedure Code (State Gazette of the Republic of Indonesia of 1983 Number 36, Supplement to State Gazette of the Republic of Indonesia Number 3258), as amended by Government Regulation Number 58 of 2010 concerning Amendments to Regulations Government Number 27 of 1983 concerning Implementation of the Criminal Procedure Code (State Gazette of the Republic of Indonesia of 2010 Number 90, Supplement to State Gazette of the Republic of Indonesia Number 5145);**
15. **Government Regulation Number 27 of 1999 concerning Analysis of Environmental Impacts (State Gazette of the Republic of Indonesia of 1999 Number 59, Supplement to State Gazette of the Republic of Indonesia Number 3838);**
16. **Government Regulation Number 52 of 2000 concerning Telecommunications Operations (State Gazette of the Republic of Indonesia of 2000 Number 107, Supplement to State Gazette of the Republic of Indonesia Number 3980);**
17. **Government Regulation Number 36 of 2005 concerning Implementing Regulations of Law Number 28 of 2002 concerning Buildings (State Gazette of the Republic of Indonesia of 2005 Number 83, Supplement to the State Gazette of the Republic of Indonesia Number 4532);**
18. **Government Regulation Number 15 of 2010 concerning Implementation of Spatial Planning (State Gazette of the Republic of Indonesia of 2010 Number 21, Supplement to State Gazette of the Republic of Indonesia Number 5103);**
19. **Government Regulation Number 12 of 2017 concerning Development of Supervision of Regional Government Implementation (State Gazette of the Republic of Indonesia of 2017 Number 73, additional State Gazette of the Republic of Indonesia Number 6041);**
20. **Presidential Regulation Number 87 of 2014 concerning Implementing Regulations of Law Number 12 of 2011 concerning the Formation of Legislation (State Gazette of the Republic of Indonesia of 2014 Number 199);**
21. **Sukoharjo Regency Regional Regulation Number 9 of the Year 2010 concerning Buildings in Sukoharjo Regency (2010 Sukoharjo Regency Regional Gazette Number 9, Supplement to Sukoharjo Regency Regional Gazette Number 178);**
22. **Sukoharjo Regency Regional Regulation Number 8 of 2011 concerning Arrangement and Construction of Telecommunication Towers (Sukoharjo Regency Regional Gazette of 2011 Number 8, Supplement to Sukoharjo Regency Regional Gazette Number 188);**

23. Sukoharjo Regency Regional Regulation Number 14 of 2011 concerning Sukoharjo Regency Regional Spatial Planning for 2011-2031 (Regency Regional Gazette Sukoharjo Year 2011 Number 14, Supplement to Sukoharjo Regency Regional Gazette Number 192) as amended by Sukoharjo Regency Regional Regulation Number 1 of 2018 concerning Amendments to Sukoharjo Regency Regional Regulation Number 14 of the Year 2011 concerning Sukoharjo Regency Regional Spatial Planning Plan for 2011-2031 (Regency Regional Gazette Sukoharjo Year 2018 Number 1, Supplement to Sukoharjo Regency Regional Gazette Number 262);

With Mutual Consent

REGIONAL PEOPLE'S REPRESENTATIVE COUNCIL OF SUKOHARJO DISTRICT

And

REGENT SUKOHARJO

DECIDE:

To stipulate: REGIONAL REGULATIONS CONCERNING AMENDMENTS TO SUKOHARJO DISTRICT REGIONAL REGULATIONS NUMBER 8 OF 2011 CONCERNING ORGANIZATION AND DEVELOPMENT TELECOMMUNICATIONS TOWER.

Article I

Several provisions in the Regency Regional Regulations Sukoharjo Number 8 of 2011 concerning Structuring and Construction of Telecommunication Towers (Regional Gazette Sukoharjo Regency 2011 Number 8, Supplement Sukoharjo Regency Regional Gazette Number 188), amended to read as follows:

- 1. The provisions of Article 1 number 2 are changed, number 19 and number 20 are deleted, number 22 is changed, and number 24 is deleted, so that it reads as follows:**

article 1

In this Regional Regulation what is meant by: 1. Region is Sukoharjo Regency.

- 2. Regional Government is the Regent as the organizing element of Regional Government which leads the implementation of government affairs which are the authority of the autonomous region.**
- 3. The Regent is the Regent of Sukoharjo.**
- 4. Telecommunications is any transmission, delivery and/or reception of any information in the form of signs, signals, writing, images, sounds and sounds via wire, optical, radio or other electromagnetic systems.**

5. Telecommunication towers are buildings for public purposes that are erected on land, or buildings that are a single construction unit with buildings used for public purposes whose physical structure can be in the form of a steel frame tied by various knots or in the form of a single form without knots , where the function, design and construction are adapted to support placing telecommunications equipment.

means

6. Joint Telecommunication Tower is a telecommunications tower that is used jointly by several telecommunications service providers (operators) to place and operate radio-based telecommunications equipment (*Base Transceiver Station*) based on *cellular planning* which is aligned with the Telecommunications Tower Master Plan.

7. Telecommunication Operators are individuals, cooperatives, regionally owned business entities, state-owned companies, private business entities, government agencies, state security agencies that have obtained permits to provide telecommunications services, telecommunications networks and special telecommunications.

8. Operators are telecommunications operator companies which in carrying out their activities require a Tower *Base Transceiver Station* (BTS) which then becomes the tenant/user of the Integrated Telecommunication Tower.

9. Tower Provider is a business entity that builds, owns, provides and leases telecommunications towers for joint use by telecommunications operators.

10. Tower Management is a business entity that manages or operates towers owned by other parties.

11. Construction Service Provider is an individual or entity whose business activities are providing construction services.

12. Tower Contractor is a service provider for an individual or business entity who is declared a professional expert in the field of tower construction services who is capable of carrying out activities to realize a tower planning result for another party.

13. The Telecommunications Tower Master Plan is the planning and creation of area zones for the placement of cellular telecommunications towers using standard cellular network planning techniques that take into account the fulfillment of service *coverage area* requirements and cellular service traffic capacity. The Telecommunication Tower Master Plan was created by harmonizing cellular technical interests with environmental beauty and adapting to the Regional Spatial Plan.
14. *Base Transceiver Station* , hereinafter referred to as BTS, is a cellular radio device (including its antenna) which functions to connect cellphones with cellular devices.
15. Camouflage Telecommunication Tower is a telecommunication tower whose design and shape are aligned with the environment where the tower is located.
16. A building is a physical manifestation of the results of construction work that is integrated with its location, partly or wholly on and/or in land and/or water, which is not used for human activities.
17. A building is a physical form resulting from construction work that is integrated with its place of residence, as or entirely located on and/or in land and/or water, which functions as a place for humans to carry out activities, whether for housing or residence, religious activities , business activities, social activities, culture and special activities.
18. Zone is a boundary area for the distribution of telecommunications towers based on the existing space potential.
19. Deleted.
20. Deleted.
21. Arrangement is all efforts made by the regional government to regulate and manage the existence and establishment of telecommunications towers.
22. Insurance is an agreement between two parties, namely the insurance company and the policy holder, which becomes the basis for receiving premiums by the insurance company in return for:
- a. provide compensation to the insured or policy holder due to loss, damage, costs incurred, lost profits, or legal liability to third parties that the insured or policy holder may suffer due to the occurrence of an uncertain event;
- or

- b. provide payments based on the death of the insured or payments based on the life of the insured with benefits whose amount has been determined and/or based on the results of fund management.

23. Functional Worthiness Certificate, hereinafter abbreviated as SLF, is a Certificate issued by the regional government except for special function buildings by the government, to certify the functional suitability of a building both administratively and technically, before its use.

24. Deleted.

2. The provisions of paragraph (3) of Article 10 are amended to read as follows:

Article 10

- (1) Telecommunication Tower construction can be carried out by telecommunications Operators, Tower Providers, and/or Tower Contractors in the form of Business Entities.
- (2) Business Entities as referred to in paragraph (1) are individuals or legal entities established under Indonesian law, domiciled in Indonesia and operating in Indonesia.
- (3) To realize the construction of a Joint Telecommunication Tower, the Regional Government can collaborate with Business Entities as intended in paragraph (1).
- (4) To carry out cooperation as intended in paragraph (3), it must be carried out based on statutory regulations.

3. The provisions of paragraph (2) of Article 11 are amended, paragraph (4) and paragraph (5) are deleted, so that they read as follows:

Article 11

- (1) Installation of telecommunications transmitting antennas must be carried out on the Joint Telecommunications Tower.
- (2) Telecommunications operators may place:
 - a. tower and/or antenna on top of the building (*roof top*), if it does not exceed the maximum permitted height of the building envelope, and the building construction is capable of supporting the load of the tower and/or antenna; and/or
 - b. antennas on buildings, street lighting poles if the building construction is capable of supporting the antenna load.

(3) The location and placement of towers and/or antennas as intended in paragraph (2) must comply with the provisions of the regional spatial plan and building safety, security, and meet aesthetics.

(4) Deleted.

(5) Deleted.

4. The provisions of paragraph (1) of Article 26 are amended to read as follows:

Article 26

(1) Joint use of Telecommunications Towers between Telecommunications Operators, between Tower Providers and Telecommunications Operators, or between Tower Managers and Telecommunications Operators, must be stated in a written agreement and reported to the Regional Government through the Regional Apparatus that carries out Government affairs in the field of investment and integrated services. door.

(2) Reporting as intended in paragraph (1) is carried out by Telecommunications Operators, Tower Providers or Tower Managers.

(3) The reporting procedures and procedures as intended in paragraph (1) are regulated by a Regent's Regulation.

5. The provisions of Article 29 are amended to read as follows following:

Article 29

(1) Every construction of a Telecommunication Tower must have a permit including:

a. Location permission;

b. Environmental Permit; And

c. IMB.

(2) Requirements and procedures for licensing applications as intended in paragraph (1) are regulated by Regent's Regulations.

6. The provisions of paragraph (2) letter e of Article 30 are amended to read as follows:

Article 30

- (1) Tower providers who already have permits as intended in Article 29 have the right to use telecommunications towers in accordance with the agreements and permits they have obtained.
- (2) Tower providers who have a permit as intended in Article 29 must:
 - a. carry out activities in accordance with the permits granted;
 - b. implementing technical, security and safety provisions as well as preserving environmental functions in accordance with statutory regulations;
 - c. carry out *Electromagnetic Compatibility* (EMC) measurements on antennas placed on telecommunications towers every 6 (six) months and must report them to the Regional Government;
 - d. responsible for all consequences arising from the implementation of the permits that have been granted; And
 - e. assisting in the implementation of monitoring, evaluation and control carried out by authorized officers.

7. The provisions of Article 33 are amended to read as follows following:

Article 33

- (1) The Regent carries out monitoring, evaluation and control of Telecommunication Towers.
- (2) In order to carry out monitoring, evaluation and control of Telecommunication Towers as intended in paragraph (1), the Regent forms a Monitoring, Evaluation and Control Team for Telecommunication Towers.
- (3) The Telecommunication Tower Monitoring, Evaluation and Control Team as intended in paragraph (2) is determined by a Regent's Decree.

Article II

This local regulation are applied at the date stated.

So that everyone is aware, this Regional Regulation is ordered to be promulgated by placing it in the Sukoharjo Regency Regional Gazette.

Set in Sukoharjo
on December 31, 2018

REGENT SUKOHARJO,

signed

Promulgated in Sukoharjo
on December 31, 2018

WARDOYO WIJAYA

REGIONAL SECRETARY
SUKOHARJO DISTRICT,

signed

AGUS SANTOSA

SUKOHARJO DISTRICT REGIONAL GAZETTE
YEAR 2018 NUMBER 15

The copy corresponds to the original
HEAD OF LEGAL SECTION,

BUDI SUSETYO, SH, MH
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**EXPLANATION
ON
REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 15 OF 2018
ABOUT
CHANGES TO THE REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 8 OF 2011 CONCERNING ARRANGEMENT AND DEVELOPMENT
TELECOMMUNICATIONS TOWER**

I. GENERAL

Whereas based on Law Number 23 of 2014 concerning Regional Government as amended several times, most recently by Law Number 9 of 2015 concerning the Second Amendment to Law Number 23 of 2014 concerning Regional Government, the Regional Government does not have the authority to manage resource management, power, and postal devices, as well as informatics.

In connection with the considerations referred to above, Sukoharjo Regency Regional Regulation Number 8 of 2011 concerning Arrangement and Construction of Telecommunication Towers needs to be amended.

II. ARTICLE BY ARTICLE

Article I

Number 1

article 1

Quite clear.

Number 2

Article 10

Quite clear.

Number 3

Article 11

Quite clear.

Number 4

Article 26

Quite clear.

Number 5

Article 29

Paragraph (1)

Letter a

Quite clear.

Letter b

Quite clear.

Letter c

**What is meant by IMB is the IMB for the
Telecommunication Tower Building.**

Paragraph (2)

Quite clear.

Number 6

Article 30

Paragraph (1)

Quite clear.

Paragraph (2)

Letter a

Quite clear.

Letter b

Quite clear.

Letter c

Quite clear.

Letter d

Quite clear.

Letter e

**What is meant by "authorized officers" is the
Telecommunication Tower Monitoring, Evaluation
and Control Team.**

Number 7

Article 33

Quite clear.

Article II

Quite clear.