

AMENDMENT TO REGULATION OF MINISTER OF ENERGY AND MINERAL RESOURCE NUMBER 35 YEAR 2013 CONCERNING PROCEDURE FOR OBTAINING PERMITS FOR ELECTRIC POWER BUSINESS

(Regulation of Minister of Energy and Mineral Resource of R.I Number 12 Year 2016, dated April 29, 2016)

WITH THE BLESSING OF THE ONE AND ONLY GOD
MINISTER OF ENERGY AND MINERAL RESOURCE
OF THE REPUBLIC OF INDONESIA,

Considering:

- a. that Electric Power transmission service to consumer of low tension electric power needs to be improved;
- b. that Indonesia legal business entity working on construction and installation for utilization of low tension electric power in any area still fails to cope with the need for construction and installation work for utilizing low tension electric power in some areas;
- c. that based on the consideration referred to in letter a and letter b, it is necessary to stipulate Regulation of the Minister of Energy and Mineral Resource concerning Amendment to Regulation of the Minister of Energy and Mineral Resource Number 35 Year 2013, concerning procedure for obtaining Permits for Electric Power Business;

In view of:

1. Law Number 30 Year 2009, concerning Electric Power (Statute Book of the Republic of Indonesia Year 2009 Number 133, Supplement to Statute Book of the Republic of Indonesia Number 5052);
2. Government Number 14 Year 2012, concerning business operation on Electric Power Supply (Statute Book of the Republic of Indonesia Year 2012 Number 28, Supplement to Statute Book of the Republic of Indonesia Number 5281) as amended by Government Number 23 Year 2014 (Statute Book of the Republic of Indonesia Number 75, Supplement to Statute Book of the Republic of Indonesia Number 5530);
3. Government Number 62 Year 2012, concerning Business Service for Supporting Electric Power (Statute Book of the Republic of Indonesia Year 2012 Number 141, Supplement to Statute Book of the Republic of Indonesia Number 5326);

4. Presidential Regulation Number 68 Year 2015, concerning Ministry of Energy and Mineral Resource (Statute Book of the Republic of Indonesia Year 2015 Number 132);
5. Presidential Decree Number 121/P Year 2014, dated October 27, 2014;
6. Regulation of the Minister of Energy and Mineral Resource Number 18 Year 2010, concerning Organization and Work Procedure of the Ministry of Energy and Mineral Resource (State Gazette of the Republic of Indonesia Year 2010 Number 552) as amended twice and lately amended by Regulation of the Minister of Energy and Mineral Resource Number 30 Year 2014 (State Gazette of the Republic of Indonesia Year 2014 Number 1725);
7. Regulation of the Minister of Energy and Mineral Resource Number 35 Year 2013 concerning procedure for obtaining Permits for Electric Power Business (State Gazette of the Republic of Indonesia Year 2013 Number 1524);

D E C I D E S :

To stipulate:

REGULATION OF MINISTER OF ENERGY AND MINERAL RESOURCE CONCERNING AMENDMENT TO REGULATION OF THE MINISTER OF ENERGY AND MINERAL RESOURCE NUMBER 35 YEAR 2013 CONCERNING PROCEDURE FOR OBTAINING PERMITS FOR ELECTRIC POWER BUSINESS.

Article I

Some provisions in Regulation of the Minister of Energy and Mineral Resource Number 35 Year 2013, concerning procedure for obtaining Permits for Electric Power Business (State Gazette of the Republic of Indonesia Year 2013 Number 1524), are amended so as to read as follows:

1. Provision in figure 11 Article 1 has been amended so that Article 1 now reads as follows:

Article 1

What is meant in this Regulation of Minister by:

1. Electric Power Supply business shall be supply of electric power covering generating, transmission, distribution, and sale of electric power to consumer.
2. Electric Power Generator business shall be procurement and production of electric power.
3. Electric Power Transmission business shall be procurement and distribution of electric power and generating electric power to distributing system or to consumer, or distribution of electric power inter-system.
4. Electric Power Distribution business shall be distribution of electric power and transmission system and/or generating electric power to consumer.
5. Electric Power Sale business shall be business operation on selling electric power to consumer.
6. Electric Power Network shall be distributing facilities for electric power covering transmission channel and/or distribution channel and its supporting facilities.
7. License for Electric Power Supply business shall be License to operate electric power supply business for public use.
8. License to Operate shall be license to operate electric power supply for own use.
9. License for Electric Power Support Service shall be License to operate electric power support service.
10. Minister shall be Minister exercising Administration affair on Electric Power.
11. Director General shall be Director General having the duty to formulate and implement policy on management, exploitation, technical, occupational safety, and environment on Electric Power.
2. Add two (2) paragraphs to the provisions in Article 34, namely paragraph (3) and paragraph (4), so that Article 34 shall read as follows:

Article 34

- (1) Electric Power Support Service business shall be electric power support service covering:
 - a. consultation on installation of electric power supply;
 - b. construction and installation of electric power supply;
 - c. examination and trial test of electric power installation;
 - d. operation of electric power installation;
 - e. maintenance of electric power installation;
 - f. investigation and development;
 - g. education and training;
 - h. laboratory for testing equipment and utilization of electric power;
 - i. certification of equipment and utilization of electric power;
 - j. certification of competence of technical worker on electric power; or
 - k. certification of electric power supporting service business.

- (2) Electric power supporting service business shall be operated by business entity covering:
 - a. State-owned business entity;
 - b. Regional-owned business entity;
 - c. private business entity;
 - d. cooperatives, Indonesia business entity and operating business on electric power support service.

- (3) Electric power support service business on construction and installation for electric power supply as referred to in paragraph (1) letter b, for installation for electric power utilization, sub-installation for low tension electric power utilization other than conducted by legal business entity may also be conducted by non-legal entity.

- (4) Installation for low tension electric power supply and sub-installation of electric power supply by non-legal entity as referred to in paragraph (3) shall be constructed based on the terms and conditions below:
 - a. for connected power capacity up to 900 VA shall refer to standard drawing of installation; and
 - b. with work area thereof at Regency / Municipality in jurisdiction where the business entity domicile

is registered.

3. Add one (1) paragraph, namely paragraph (3) to the provision in Article 36 so that Article 36 now reads as follows:

Article 36

- (1) Business License for Electric Power Supporting Service shall be granted according to classification, qualification, and/or certificate held by the business entity.
- (2) Business License for Electric Power Supporting Service is valid throughout all territories of the Republic of Indonesia.
- (3) Business License for Electric Power Supporting Service operated by non-legal business entity as referred to in Article 34 paragraph (3) is valid only for Regency / Municipality work areas where the business entity's domicile is registered.

4. Add one (1) paragraph, namely paragraph (3a) to the provisions Article 37 so that Article 37 now reads as follows:

Article 37

- (1) Application for Business License for Electric Power Supporting Service shall be submitted by the business entity referred to in Article 34 paragraph (2) and must be completed with administrative and technical requirements.
- (2) The administrative requirements referred to in paragraph (1) covering:
 - a. Applicant's Identity;
 - b. Deed of Establishment of business entity;
 - c. profile of business entity;
 - d. Obligatory Taxpayer Identification Number; and
 - e. Statement Letter of Domicile from the competent authority.

(3) The technical requirement referred to in paragraph (1) covering:

- a. business entity Certificate, except business service for examination and testing of installation for low tension electric power utilization and Business Entity Certification Institution; office construction plan for Business Entity Certification Institution within the area, and Business Entity for examination and testing installation for low tension electric power utilization;
- c. Decision Letter on Party Responsible on Technical matters;
- d. Certificate of competence on technical electric power; and
- e. document on Quality Management System according to Indonesia National Standard.

(3a) The technical requirement referred to in paragraph (3) letter e, on Electric Power Supporting Service operated by non-legal business entity as referred to in Article 34 paragraph (3), document on Quality Management System does not need to conform Indonesia National Standard.

(4) Application for Business License for Electric Power Supporting Service as referred to in paragraph (1) must be submitted in writing by business entity to the Minister through the Director General using the format for application and questionnaire form as specified in ATTACHMENT-VI constituting inseparable part of this Regulation Minister.

Article II

This Regulation of Minister takes effect on the date it is enacted.

For public cognizance, this Regulation of Minister shall be announced by placint it in State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

Dated April 29, 2016

MINISTER OF ENERGY AND MINERAL RESOURCE
OF THE REPUBLIC OF INDONESIA,

sgd.

SUDIRMAN SAID

Enacted in Jakarta

Dated May 4, 2016

DIRECTOR GENERAL OF STATUTORY REGULATION
MINISTRY OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

sgd.

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA
YEAR 2016 NUMBER 706

(MA)