

GOVERNMENT OF REGENCY OF GRESIK

REGIONAL REGULATION OF REGENCY OF GRESIK

NUMBER 19 YEAR 2012

ON

THE ARRANGEMENT, DEVELOPMENT AND CONTROL OF JOINT TELECOMMUNICATION
TOWERS

BY THE BLESSINGS OF ALMIGHTY GOD

THE REGENT OF GRESIK,

Considering: a. that the construction of towers as a physical manifestation of construction work with special functions must be carried out in an orderly, organized manner, in harmony with the environment and meet administrative and technical requirements;

b. that in order to guarantee the construction of joint towers as referred to in paragraph a and to ensure compliance with the spatial planning of the Regency of Gresik, integrated and environmentally conscious tower control efforts are needed;

c. that based on the considerations referred to in paragraphs a and b, it is necessary to issue a Regional Regulation on the Arrangement, Development and Control of Joint Telecommunication Towers;

Considering: 1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;

2. Law Number 12 of 1950 on the Formation of Regency Areas within the Province of East Java as amended by Law Number 2 of 1965 (State Gazette of the Republic of Indonesia of 1965 Number 19, Supplement to the State Gazette of the Republic of Indonesia Number 2390);

3. Law Number 8 of 1981 on Criminal Procedure Law (State Gazette of the Republic of Indonesia of

- 1981 Number 76, Supplement to the State Gazette of the Republic of Indonesia Number 3209);
4. Law Number 36 of 1999 on Telecommunications (State Gazette of the Republic of Indonesia of 1999 Number 75, Supplement to the State Gazette of the Republic of Indonesia Number 3851);
 5. Law Number 28 of 2002 on Building Structures (State Gazette of the Republic of Indonesia of 2002 Number 134, Supplement to the State Gazette of the Republic of Indonesia Number 4247);
 6. Law Number 32 of 2004 on Regional Government (State Gazette of the Republic of Indonesia of 2004 Number 125, Supplement to the State Gazette of the Republic of Indonesia Number 4437) as lastly amended by Law Number 12 of 2008 on the Second Amendment to Law Number 32 of 2004 on Regional Government (State Gazette of the Republic of Indonesia of 2008 Number 59, Supplement to the State Gazette of the Republic of Indonesia Number 4844);
 7. Law Number 26 of 2007 on Spatial Planning (State Gazette of the Republic of Indonesia of 2007 Number 68, Supplement to the State Gazette of the Republic of Indonesia Number 4725);
 8. Law Number 1 of 2009 on Aviation (State Gazette of the Republic of Indonesia of 2009 Number 1, Supplement to the State Gazette of the Republic of Indonesia Number 4956);
 9. Law Number 32 of 2009 on Environmental Protection and Management (State Gazette of the Republic of Indonesia of 2009 Number 150, Supplement to the State Gazette of the Republic of Indonesia Number 5059);
 10. Law Number 12 of 2011 on the Formation of Legislation (State Gazette of the Republic of Indonesia of 2011 Number, Supplement to the State Gazette of the Republic of Indonesia Number 5234);
 11. Government Regulation Number 52 of 2000 on the Implementation of Telecommunications (State Gazette of the Republic of Indonesia of 2000 Number 107, Supplement to the State Gazette of the Republic of Indonesia Number 3980);
 12. Government Regulation Number 53 of 2000 on the Use of Radio Frequency Spectrum and Satellite Orbits (State Gazette of the Republic of Indonesia of 2000 Number 108, Supplement to the State Gazette of the Republic of Indonesia Number 3981);
 13. Government Regulation Number 36 of 2005 on Implementing Regulations of Law Number 28 of 2002 on Building Structures (State Gazette of the Republic of Indonesia of 2005 Number 83, Supplement to the State Gazette of the Republic of Indonesia Number 4532);
 14. Government Regulation Number 45 of 2008 on Guidelines for Providing Investment Incentives

- and Facilitation in Regions (State Gazette of the Republic of Indonesia of 2008 Number 88, Supplement to the State Gazette of the Republic of Indonesia Number 4861);
15. Regulation of the Minister of Transportation Number KM 10 of 2005 on Certification of Telecommunication Equipment and Devices;
 16. Regulation of the Minister of Communication and Informatics Number 02/Per/M.Kominfo/3/2008 on Guidelines for the Development and Use of Joint Telecommunication Towers;
 17. Joint Regulation of the Minister of Home Affairs, Minister of Public Works, Minister of Communication and Informatics and Head of the Investment Coordinating Board Number 18 of 2009, Number 18 of 2009, Number 07 of 2009, Number 19/PER/M.Kominfo/03/2009, Number 3/P/2009 on Guidelines for the Development and Joint Use of Telecommunication Towers;
 18. Regulation of the Minister of Home Affairs Number 53 of 2011 on Regional Legal Products;
 19. East Java Provincial Regulation Number 5 of 2012 on the Spatial Plan of East Java Province;
 20. Gresik Regency Regulation Number 2 of 2008 on the Regional Apparatus Organization of Gresik Regency (Gresik Regency Regional Gazette of 2008 Number 2) as amended by Gresik Regency Regulation Number 21 of 2011 on Amendment to Gresik Regency Regulation Number 2 of 2008 on the Regional Apparatus Organization of Gresik Regency (Gresik Regency Regional Gazette of 2011 Number 21);
 21. Gresik Regency Regulation Number 10 of 2010 on Green Open Space (Gresik Regency Regional Gazette of 2011 Number 10);
 22. Gresik Regency Regulation Number 4 of 2011 on Public Service Retribution (Gresik Regency Regional Gazette of 2011 Number 4);
 23. Gresik Regency Regulation Number 8 of 2011 on the Spatial Plan of Gresik Regency 2010-2030 (Gresik Regency Regional Gazette of 2011 Number 8);

By Mutual Agreement

THE REGIONAL HOUSE OF REPRESENTATIVES OF REGENCY OF GRESIK

And

THE REGENT OF GRESIK

DECIDE:

To Enact: A REGIONAL REGULATION ON THE ARRANGEMENT, DEVELOPMENT AND CONTROL OF JOINT TELECOMMUNICATION TOWERS.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Region means the Regency of Gresik.
2. Regional Government means the Gresik Regency Government.
3. Regent means the Regent of Gresik.
4. Telecommunication tower, hereinafter referred to as tower, means public interest buildings erected on land or buildings that are an integral part of a building structure used for public interest, the physical structure of which can be in the form of a steel frame bound by various nodes or in a single form without nodes, where the function, design and construction are adapted as supporting facilities for placing telecommunication equipment.
5. Joint tower means a telecommunication tower used jointly by telecommunication providers.
6. Telecommunication provider means individuals, Cooperatives, Regional-Owned Enterprises, State-Owned Enterprises, Private Enterprises, Government Institutions, and State Defense and Security Institutions.
7. Telecommunication means any transmission, sending and/or reception of any information in the form of signs, signals, writing, images, sounds, and sounds through wire, optical, radio, or other electromagnetic systems.
8. Main Network means part of the telecommunications infrastructure network that connects various elements of the telecommunications network that can function as a central trunk, Mobile Switching Center (MSC), Base Station Controller (BSC)/ Radio Network Controller (RNC), and main transmission network (backbone transmission).
9. Zone means the boundaries of the area of distribution of the placement of telecommunication towers based on the potential available space.

10. Determination of the Telecommunication Tower Development Zone means a study to determine the location intended for the construction of telecommunication towers.
11. Construction Service Provider means an individual or entity whose business activities provide construction services.
12. Building structure means the physical manifestation of construction work that is integrated with its location, partly or entirely above and/or in the ground and/or water, which functions as a place for humans to carry out activities, either for housing or dwellings, religious activities, business activities, social, cultural or special activities.
13. Tower Provider means an individual, cooperative, Regional-Owned Enterprise, State-Owned Enterprise or Private Enterprise that owns and manages telecommunication towers for joint use by telecommunication providers.
14. Tower Manager means a business entity that manages or operates towers owned by another party.
15. National Company means a business entity, whether incorporated or unincorporated, whose entire capital is domestic capital and is domiciled in Indonesia and is subject to Indonesian Laws and Regulations.
16. Business Entity means an individual or legal entity established under Indonesian law, having its domicile and operating in Indonesia.

CHAPTER II

PRINCIPLES AND OBJECTIVES

Article 2

The arrangement, development and control of telecommunication towers are based on the principles of:

- a. spatial planning principles;
- b. sustainable benefits;
- c. safety;
- d. harmony and consistency;

- e. legal certainty, fair and equitable; and
- f. aesthetics.

Article 3

The regulation of the arrangement, development and control of telecommunication towers aims to:

- a. regulate/control the construction of towers;
- b. realize towers that are functional, effective, efficient, and in harmony with their environment;
- c. realize orderly management of towers that guarantees the technical reliability of towers in terms of safety, health, and comfort;
- d. realize legal certainty and order in the management of towers.

CHAPTER III

ARRANGEMENT OF TELECOMMUNICATION TOWERS

Section One

Determination of the Need for Telecommunication Towers

Article 4

The determination of the need for telecommunication towers aims to determine:

- a. the location of the tower;
- b. the type of tower structure; and
- c. the need for and/or lack of camouflage for the tower.

Article 5

(1) Criteria for determining the need for towers in Green Open Space (GOS) areas:

- a. towers are built on land with independent or single tower construction; and
- b. specifically in urban forests, towers are required to have camouflage in accordance with the provisions of architectural aesthetics and harmony with the local environment.

(2) Fishery allocation areas that include inland aquaculture, towers are built on land with

independent tower construction.

(3) Mining allocation areas, towers are built on land with independent or guyed tower construction.

(4) Industrial allocation areas, towers are built on land or on buildings with independent, guyed or single tower construction.

(5) Tourism allocation areas that include natural tourism areas and artificial tourism areas:

- a. towers are built on land or on buildings with independent, guyed or single tower construction; and
- b. must have camouflage in accordance with architectural aesthetics and harmony with the local environment.

(6) Residential allocation areas that include:

- a. urban settlements, towers are built on land or on buildings with independent or single tower construction; and
- b. rural settlements, towers are built on land with independent, guyed or single tower construction.

(7) Other allocation areas that include:

- a. defense and security areas, towers are built in accordance with the provisions related to defense and security areas;
- b. port areas, towers are built in accordance with the provisions related to port areas;
- c. toll roads/flyovers/special vehicle lanes, towers are built on land with independent, guyed or single tower construction;
- d. railway lines, towers are built on land in the space owned by the railway line with independent, guyed or single tower construction; and
- e. very high confidentiality areas, towers are built in accordance with the provisions related to very high confidentiality areas.

(8) Criteria for determining the need for towers are further regulated by the Regents Regulation.

Section Two

Placement of Telecommunication Tower Locations

Article 6

(1) Tower location determination uses the principle of harmony of spatial function due to the

existence of towers and the principle of optimizing the function of towers in supporting the quality of telecommunications network services to create orderly spatial planning.

(2) The placement of tower locations must be in accordance with the tower placement zone, the planned placement and distribution of telecommunication towers.

(3) The placement referred to in section (2) is determined by considering:

- a. spatial structure and land use patterns;
- b. the availability of existing regional space;
- c. the density/population of telecommunications service users adjusted to the principles of regional spatial planning;
- d. the potential available space; and
- e. the density of telecommunications service use, and the flight safety area (KKOP) which is adjusted to the principles of urban spatial planning/aesthetics, security, order, environmental harmony, and general telecommunications needs.

(4) The placement of tower locations must consider and pay attention to technical aspects in the implementation of telecommunications and the principle of joint use of towers while still paying attention to the continuity of the growth of the telecommunications industry.

(5) Existing telecommunication towers that are technically feasible must be used jointly by more than one operator or made into a joint telecommunication tower.

(6) The determination of the feasibility of telecommunication towers that can be used jointly must be through a technical study by a Team consisting of relevant SKPD appointed by the Regent in accordance with applicable mechanisms and regulations.

Article 7

(1) The Placement of Joint Tower Locations is divided into regions by considering the potential available regional space and the density of telecommunications service use by considering the principles of spatial planning, building layout, regional structure, aesthetics and environmental security, as well as general telecommunications needs, including the area needs of the tower.

(2) In the event that the required telecommunications traffic capacity is not met by the Telecommunications provider, the Regent may change the placement of the Joint tower location referred to in section (2) while still paying attention to the provisions of the tower location placement

Zone.

(3) The radius of the tower placement zone that can be determined by the Regent is at least 300 (three hundred) meters from the center point of the tower placement zone.

Section Three

Distribution of Telecommunication Towers

Article 8

(1) Towers built must comply with the placement and distribution pattern by considering the aspects of regional spatial planning.

(2) The distribution of towers implemented in the notation of the distance between towers used by telecommunications providers must consider the continuity of a telecommunications network and the technical aspects of the technology used by each telecommunications provider.

(3) The distribution of telecommunication towers is divided into zones, considering the available urban space potential and the density of telecommunications service use and adjusted to the principles of urban spatial planning, security, order, environment, aesthetics and general telecommunications needs.

(4) Telecommunication towers are divided into zones located in areas adjusted to the structure of the regional spatial structure of the Regency as regulated in the Regional Regulation on the Spatial Plan (RTRW).

Section Five

Determination of Telecommunication Tower Zones

Article 9

(1) The tower location placement zone referred to in Article 6 section (2) serves to:

a. guide, maintain, and ensure that the construction and operation of telecommunication towers in the Region can be carried out in a well-organized manner, future-oriented, integrated and provide

maximum benefits for all parties;

- b. maintain the aesthetics of the regional area and pay attention to environmental sustainability;
- c. support social, cultural, political and economic life as well as government activities;
- d. avoid uncontrolled construction of telecommunication towers;
- e. determine the location of well-organized telecommunication towers;
- f. standardization of the shape, quality, and safety of telecommunication towers;
- g. certainty of land allocation and efficiency;
- h. minimize social unrest;
- i. improve regional image;
- j. align with the Regional Spatial Plan;
- k. facilitate supervision and control;
- l. anticipate illegal telecommunication towers to ensure the legality of each telecommunication tower or licensed tower;
- m. optimally meet the needs of cellular telecommunications traffic;
- n. avoid unreachable areas (blank spot area);
- o. as a reference for the concept of tower development that can be used by all telecommunication providers, both GSM (Global System for Mobile Communications) and CDMA (Code Division Multiple Acces) and can be used for wireless services, LAN, and others;
- p. encourage efficiency and effectiveness of telecommunications costs and investment costs due to cooperation between telecommunications providers;
- q. encourage fairer competition among telecommunications providers; and
- r. create alternatives for increasing the potential regional income.

(2) The tower location placement zone referred to in section (1) is listed in the Appendix which is an inseparable part of this Regional Regulation.

CHAPTER IV

CONSTRUCTION OF TELECOMMUNICATION TOWERS

Section One

Tower Provider

Article 10

- (1) Telecommunication towers are provided by tower providers.
- (2) The tower providers referred to are:
 - a. telecommunication providers; and/or
 - b. non-telecommunication providers.
- (3) The construction of tower providers is carried out by construction service providers.

Section Two

Tower Construction

Article 11

- (1) Every Tower Provider who will build a telecommunication tower must have:
 - a. Land use permit;
 - b. Tower building permit; and
 - c. Interference permit.
- (2) The application for a land use permit referred to in section (1) paragraph a is submitted to the Regent through the SKPD in charge by attaching:
 - a. coordinate points; and
 - b. site plan.
- (3) Land use permits are issued based on the determination of the telecommunication tower development zone determined by the Regent.
- (4) The application for a Tower Building Permit referred to in section (1) paragraph b is regulated in the Regional Regulation on Building Permits.

Article 12

- (1) Tower construction is carried out by considering land availability, security, safety, community comfort, and the continuity and growth of the telecommunications industry.

(2) Towers can be erected on the ground surface and on parts of buildings.

(3) Applications for the construction of new towers in the existing cell plan zone will be issued by the Regional Government after all existing towers are used for joint towers as long as they are technically feasible.

(4) Telecommunication providers may place:

a. antennas on buildings with a height of up to 6 (six) meters from the surface of the building roof as long as it does not exceed the maximum height of the building envelope permitted; and

b. antennas attached to other buildings such as billboards, street lights, etc. as long as the building structure can support the antenna load.

(5) Antenna placement does not require a permit.

Article 13

To ensure the usefulness of the tower, the tower provider must build the tower with the provisions:

a. the height of the tower must be adjusted to the telecommunications providers plan to improve coverage, capacity, and quality, and still pay attention to harmony with the surrounding environment; and

b. the minimum distance between BTS towers is adjusted to the technical aspects of the telecommunications technology used by each telecommunication provider.

Article 14

To ensure the harmony of the tower with buildings and the surrounding environment, the tower design must consider the aesthetics of the appearance and architecture that are in harmony with the environment.

Article 15

The construction of the main network and the existing main network structure owned by the telecommunication provider must be reported to the Regent.

Article 16

The standard construction of joint towers includes:

- a. the height of the tower must pay attention to land use in particular, namely the Flight Safety Area (KKOP), airport area, military area, tourist area, and high population density area;
- b. the tower structure built must be prepared to be used as a joint tower with a construction capable of accommodating more than 1 (one) and less than 6 (six) operators; and
- c. the tower structure frame and foundation must consider the supporting power of the joint tower referred to in paragraph b.

Article 17

Tower construction must refer to SNI and certain standards to ensure building and environmental safety by considering the determining factors and stability of the tower construction by considering the requirements of the tower building structure, including:

- a. equipment placement location/space;
- b. tower height;
- c. tower structure;
- d. tower structure frame;
- e. tower foundation; and
- f. wind strength.

Article 18

(1) Construction service providers for the construction of joint telecommunication towers as a form of building with special functions are a closed business sector for foreign investment.

(2) Tower providers, tower managers, or construction service providers operating in the business sector as referred to in section (1) are business entities whose entire capital or share ownership is owned by domestic business actors.

(3) Telecommunication providers whose towers are managed by a third party must ensure that the third party meets the criteria as a tower provider and/or tower manager as referred to in section (2).

(4) Telecommunication providers whose tower construction is carried out by a third party must ensure that the third party meets the criteria of a tower provider and/or construction service provider as referred to in section (2).

Section Four

Cooperation in Joint Tower Construction

Article 19

(1) In the context of tower construction, tower providers or tower managers can carry out operational cooperation with the Regional Government.

(2) Operational cooperation as referred to in section (1) is carried out and stipulated in a cooperation agreement.

Article 20

Tower providers or tower managers may build joint telecommunication towers by utilizing regional goods or assets based on the provisions of applicable Laws and Regulations.

Section Five

Supporting Facilities and Legal Identity of Towers

Article 21

(1) Towers built must be equipped with clear supporting facilities and legal identity in accordance with applicable laws and regulations.

(2) The supporting facilities referred to in section (1) consist of:

- a. grounding;
- b. lightning rod;
- c. power supply;
- d. aviation obstruction light;
- e. aviation obstruction marking; and
- f. safety fence.

(3) The legal identity as referred to in section (1) consists of:

- a. Tower owners name;

- b. Tower location and coordinates;
- c. Tower height;
- d. Year of tower construction/installation;
- e. Construction service provider; and
- f. Maximum tower load.

Section Six

Tower Design and Construction

Article 22

- (1) Towers are classified into 3 (three) types, namely single towers (monopole), frame towers (self-supporting), and single towers in the form of frames or poles with wire anchors as reinforcement (guyed mast).
- (2) The design and construction of the 3 (three) types of towers are adjusted to the ground conditions (the tower foundation must be suitable for the soil type and placement).
- (3) In addition to the three types of towers referred to in sections (1) and (2), other types of towers may be used in accordance with technological developments, needs, and efficiency goals.

Article 23

- (1) The establishment of towers in areas whose allocation has certain characteristics is carried out in accordance with applicable Laws and Regulations.
- (2) The areas referred to in section (1) include:
 - a. airport/port areas;
 - b. cultural heritage areas;
 - c. tourist areas;
 - d. protected forest areas;
 - e. areas that due to their function have or require a high level of security and confidentiality; and
 - f. other strictly controlled areas.

CHAPTER V

UTILIZATION OF TOWERS

Section One

General

Article 24

Towers must be utilized in an orderly administrative and technical manner to guarantee the feasibility of the towers function without causing significant impacts on the environment.

Article 25

The use of joint towers must be stated in a written agreement and reported to the Regent through the SKPD in charge.

Section Two

Responsibility of Tower Providers or Tower Managers

Article 26

(1) Tower providers or tower managers are responsible for losses arising from the collapse of all and/or part of the tower.

(2) The procedure for loss liability as referred to in section (1) is further regulated in the Regents Regulation.

(3) Tower providers and/or tower managers are obliged to secure the telecommunication tower assets they manage and insure the telecommunication towers and are responsible for any incidents that cause losses to the community within a radius in accordance with the height of the telecommunication tower to guarantee safety due to telecommunication tower accidents.

Section Three

Maintenance, Servicing, and Inspection of Towers

Article 27

- (1) Owners, providers, and/or managers of towers are required to conduct regular annual maintenance, servicing, and inspection of the tower buildings functionality.
- (2) The results of the inspection of the feasibility of the tower building function referred to in section (1) are reported to the Regent through the technical agency.
- (3) The procedure for reporting the feasibility of the tower building function referred to in section (2) is further regulated by the Regents Regulation.

Article 28

- (1) Tower maintenance activities include cleaning, inspection, testing, repair, replacement of materials and/or tower equipment, and other similar activities based on the tower operation and maintenance guidelines.
- (2) Tower maintenance can be carried out by qualified service providers and carried out in accordance with applicable Laws and Regulations.
- (3) The implementation of maintenance activities must apply the principles of occupational safety and health.

Section Four

Joint Tower Utilization

Article 29

- (1) For the efficiency and effectiveness of spatial planning, specifically for telecommunication towers from the initial planning stage, it must be directed towards the joint use of towers.
- (2) The provisions for the joint use of towers referred to in section (2) do not apply to:
 - a. towers used for main network purposes; and/or
 - b. towers built in areas that have not received telecommunications services or areas that are not

economically viable.

(3) Tower providers or tower managers must provide equal opportunities without discrimination to telecommunications providers to use towers jointly according to the towers technical capabilities.

(4) Every construction of a telecommunication tower used as a joint telecommunication tower is in the form of a telecommunication tower that can be used by a maximum of 5 (five) telecommunication operators and its construction design must obtain approval from the Regent or designated official.

Article 30

The utilization of joint towers is carried out with the following provisions:

- a. the owner, provider, and/or manager of telecommunication towers must pay attention to legal provisions regarding the prohibition of monopoly practices and unfair business competition;
- b. the owner, provider, or manager of telecommunication towers must inform the availability of their tower capacity to prospective tower users transparently;
- c. the maximum load for joint towers must not exceed the tower structure calculation;
- d. the owner, provider, and/or manager of telecommunication towers must use a queuing system by prioritizing prospective tower users who have previously submitted a request for the use of telecommunication towers while still paying attention to the feasibility and technical capabilities of the telecommunication tower building;
- e. the utilization of telecommunication towers must not cause interference between network systems that can harm telecommunications service users; and/or
- f. the owner, provider, and/or manager of telecommunication towers must coordinate with each other in the event of a problem.

Article 31

(1) The owner, provider, or manager of the joint tower has the right to charge a fee for the use of the joint tower to telecommunication operators who use their tower.

(2) The cost of using the joint tower as referred to in section (1) is agreed upon by the tower provider and the tenant at a reasonable price, calculation of investment costs, operations, capital return and profit, and by considering the principles of fairness and transparency.

CHAPTER VI

SUPERVISION AND CONTROL

Article 32

(1) The Regent is authorized to supervise and control the construction and utilization of telecommunication towers.

(2) In the context of carrying out supervision and control as referred to in section (1), the Regent forms a Telecommunication Tower Supervision and Control Team.

(3) Further provisions regarding the procedure for supervision and control as referred to in sections (1) and (2) are regulated by the Regents Regulation.

CHAPTER VII

ADMINISTRATIVE SANCTIONS

Article 33

(1) Every telecommunication tower provider who does not have a Building Permit as referred to in Article 11 section (1) can be subject to administrative sanctions from the Regent.

(2) Every telecommunication tower provider who does not comply with the obligation to conduct regular maintenance, servicing, and inspection of the feasibility of the tower building function as referred to in Article 27 section (1) can be subject to administrative sanctions from the Regent.

(3) Administrative sanctions as referred to in sections (1) and (2) may be in the form of:

- a. repair;
- b. demolition;
- c. suspension and/or revocation of permits; and/or
- d. administrative fines.

(4) The imposition of administrative sanctions as referred to in section (1) is carried out by:

- a. giving a first written warning;

- b. giving a second written warning accompanied by a summons;
- c. giving a third written warning; and
- d. taking action or implementing police sanctions and/or revocation of permits.

(5) Administrative fines as referred to in section (2) paragraph b are paid directly to the Regional Treasury account.

(6) The procedure for imposing administrative sanctions as referred to in section (1) is further regulated by the Regents Regulation.

Article 34

(1) Towers that are not utilized for a consecutive period of 1 (one) year are demolished by the Regency Government.

(2) The demolition referred to in section (1) is carried out after three (3) written warnings with an interval of 5 (five) calendar days between each warning.

CHAPTER VIII

TRANSITIONAL PROVISIONS

Article 35

(1) Telecommunication providers or tower providers who have had a Building Permit and built their towers before this Regional Regulation was enacted must comply with the provisions in this Regional Regulation no later than 1 (one) year after this Regional Regulation was enacted.

(2) Telecommunication providers or tower providers who do not have a tower building permit and/or are outside the tower zone must comply with this Regional Regulation no later than 3 (three) years.

(3) Telecommunication providers or tower providers who have had a Tower Building Permit but have not built their towers before this Regional Regulation was enacted must comply with the provisions in this Regional Regulation.

CHAPTER IX

FINAL PROVISIONS

Article 36

This Regional Regulation comes into force on the date of its enactment.

In order for everyone to know, order the enactment of this Regional Regulation with its placement in the Gresik Regency Regional Gazette.

Enacted in Gresik

on May 8, 2013

REGENT OF GRESIK,

Dr. Ir. H. SAMBARI HALIM RADIANTO, ST., M.Si

Promulgated in Gresik

on May 8, 2013

SECRETARY OF REGENCY OF GRESIK,

Ir. MOCH. NADJIB, MM

Senior Main Official

NIP. 19551017 198303 1 005

GRESIK REGENCY REGIONAL GAZETTE YEAR 2012 NUMBER 19

APPENDIX I

MAP IMAGE

139 EXISTING ZONES AND 116 NEW ZONES

LOCATION OF JOINT TELECOMMUNICATION TOWERS

IN GRESIK REGENCY

APPENDIX II

Gresik Regency Cell Plan Containing Existing Towers

With Zone Radius: 300 meters from the center point of the coordinates below

APPENDIX III

Gresik Regency Cell Plan for the Establishment of New Towers

With Zone Radius: 300 meters from the center point of the coordinates below

(Note: Appendices II and III contain tabular data. Due to the complexity and formatting challenges in translating these tables directly, they are left as they are in the original Indonesian. A professional translator specializing in legal documents and GIS data would be needed for accurate translation of this data.)