

LAW OF THE REPUBLIC OF INDONESIA NUMBER 30 OF 2009  
CONCERNING  
ELECTRICITY

WITH THE BLESSING OF GOD ALMIGHTY  
THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering:

- a. that national development aims to achieve just and prosperous society in a manner materially and spiritually distributive under Pancasila and the 1945 Constitution of the Republic of Indonesia;
- b. that with electricity having important and strategic role in the achievement of national development objectives, power supply business is therefore controlled by the state and the supplies thereof needs to be kept increased to reflect the progress in development to enable the availability of power in adequate quantity, fair distribution, and quality;
- c. that power supplies are labor and technology intensive and in line with the principles of regional autonomy and democratization within the life style of the society, the nation, and the state, the role of the regional governments and the people in the supply of power requires increase;
- d. that however useful, electric power also poses risk such that supplies and beneficial use of it must be subject to the electricity safety requirements;
- e. that Law Number 15 of 1985 concerning Electricity no longer reflects the demanding times and changes in the society life such that replacement with a new law is required;
- f. that in consideration of what item a, item b, item c, item d, and item e intend, it is necessary to make Law concerning Electricity;

Bearing in Mind:

Article 5 section (1), Article 18, Article 20, and Article 33 of the 1945 Constitution of the State of the Republic of Indonesia;

With the Joint Consent of  
THE HOUSE OF REPRESENTATIVES OF THE REPUBLIC OF INDONESIA  
and  
THE PRESIDENT OF THE REPUBLIC OF INDONESIA

DECIDE:

To Stipulate : LAW CONCERNING ELECTRICITY.

CHAPTER I  
GENERAL PROVISIONS  
Article 1

In this Law:

1. Electricity” means any matter that concerns power supply and beneficial use as well as power support business.
2. “Electric power” means any form of secondary energy that is generated, transmitted, and distributed for any purposes, not including electricity in use for communication, electronics, or signal.
3. “Power supply business” means power procurement through power generation, transmission, distribution and sale to consumers.
4. “Power generation” means any activity through which to produce power.
5. “Power transmission” means delivery of power from generation to distribution system or to consumers, or cross-system delivery of power.
6. “Power distribution” means delivery of power from transmission system or from generation to consumers.
7. “Consumer” means any person or entity that purchases power from power supply license holders.
8. “Electric power sale business” means any activity through which to sell power to consumers.
9. “General power plan” means any development plan for power supply system, including power generation, transmission, and distribution as necessary to meet power demand.
10. “Power supply license” means a license to conduct public power supply business.
11. “Operating license” means a license under which to provide captive power supplies.
12. “Business area” means an area the Government determines as a place at which power supply business is conducted by power distributing and/or selling entities.
13. “Land damages” means any payment in compensation for release or transfer of land title, including the buildings, plants and/or other objects related to land.
14. “Compensation” means an award of a sum of monies to land title holders, including the buildings, plants and/or other objects related to land for the benefit of indirect use of the land for electricity constructions without the land title being released or transferred.
15. “The Central Government,” hereinafter called “the Government,” means the President of the Republic of Indonesia that holds the power in the government of the state of the Republic of Indonesia as intended by the 1945 Constitution of the State of the Republic of Indonesia.
16. “The Regional government” governors, the regents, or the regional instrumentalities that elements of the administrators of Administration. means the mayors and act as the the Regional
17. “Minister” means the minister in charge of electricity affairs.
18. “Any person” means any individual or entity of either legal entity or nonlegal entity.

CHAPTER II  
PRINCIPLES AND PURPOSES  
Article 2

(1) Electricity development shall embrace the principles of:

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- a. benefit;
  - b. just efficiency;
  - c. sustainability;
  - d. optimum economics with the beneficial use of energy resources;
  - e. self-reliance;
  - f. sound business;
  - g. security and safety;
  - h. conservation of environmental functions;
  - i. regional autonomy
- (2) Electricity development shall aim to guarantee the availability of power at adequate quantity, good quality, and reasonable price to improve public welfare and prosperity in a just and distributive manner as well as to realize sustainable development

CHAPTER III  
CONTROL AND COMMERCIALIZATION  
Part One  
Control  
Article 3

- (1) Power supplies shall be under the control of the state, which supplies shall be provided by the Government and the regional governments under the principle of regional autonomy.
- (2) To provide power supplies as intended by section (1), the competent Government and regional governments shall establish policies, regulation, and supervision and manage/conduct power supply business.

Part Two  
Commercialization  
Article 4

- (1) The conduct of power supply business by the Government and the regional governments shall be authorized to state-owned entities and region owned entities.
- (2) Private entities, cooperatives, and self-reliant communities may participate in power supply business.
- (3) With respect to power supplies as intended by Article 3 section (1), the Government and the regional governments shall set up funds for:
- a. indigent community groups;
  - b. the construction of power supply facilities in less-developed regions;
  - c. the construction of power in remote and contiguous areas; and
  - d. the construction of rural electricity.

CHAPTER IV  
AUTHORITY OF MANAGEMENT  
Article 5

- (1) The authority of the Government in the field of electricity shall include:
- a. adopt national electricity policy;
  - b. make electricity laws and regulations;
  - c. prepare guidelines, standards, and the criteria with respect to electricity;
  - d. set guidelines to consumer power tariffs;
  - e. develop a general national electricity plan;
  - f. determine business areas;
  - g. issue cross-border licenses;
  - h. electricity trading issue power supply business licenses to entities:
    1. whose business overlaps the provinces;
    2. in state-owned-entity form; and
    3. that sell power and/or rent electrical grids to Government-appointed power supply license holders;
  - i. issue operating licenses for installation facilities overlapping the provinces;
  - j. set consumer power tariffs for Government-appointed power supply license holders;
  - k. give approval for power selling and electrical grid rent prices to Government-appointed power supply license holders;
  - l. give approval for excess power sale to Government-appointed operating license holders;
  - m. issue power service licenses to state-own entities or foreign investors/with majority of shares being owned by foreign investors;
  - n. issue electrical grid utilization licenses in the interest of telecommunications, multimedia, and informatics to grids owned by Government-appointed power supply license holders or Government-appointed operating license holders;
  - o. direct and supervise entities engaged in the field of electricity whose licenses issued by the Government;
  - p. appoint electricity inspector(s);
  - q. establish functional positions for electricity inspectors at every level of the governments; and
  - r. impose administrative sanctions on entities whose licenses issued by the Government.
- (2) The authority of the province governments in the field of electricity shall include:
- a. make provincial regulations in the field of electricity;
  - b. develop a general provincial electricity plan;
  - c. issue power supply licenses to entities whose business areas overlap the districts/cities;
  - d. issue operating licenses for installation facilities overlapping the districts/cities;
  - e. set consumer power tariffs for province government-appointed power supply license holders;
  - f. give approval for power selling and electrical grid rent prices to entities that sells power and/or rents electrical grids to entities whose license issued by the province governments;
  - g. give approval for excess power sale to operating license holders whose licenses issued by the province governments;

- h. issue electrical grid utilization licenses in the interest of telecommunications, multimedia, and informatics to grids owned by province government-appointed power supply license holders or province government-appointed operating license holders;
  - i. direct and supervise entities engaged in the field of electricity whose licenses issued by the province governments;
  - j. appoint provincial electricity inspector(s); and
  - k. impose administrative sanctions on entities whose licenses issued by the province governments.
- (3) The authority of the district/city governments in the field of electricity shall include:
- a. make district/city regulations in the field of electricity;
  - b. develop a general district/city electricity plan;
  - c. issue power supply licenses to entities whose business areas within the districts/cities;
  - d. issue operating licenses for installation facilities within the districts/cities;
  - e. set consumer power tariffs for district/city government-appointed power supply license holders;
  - f. give approval for power selling and electrical grid rent prices to entities that sells power and/or rents electrical grids to entities whose licenses are issued by the district/city governments;
  - g. issue power service licenses to entities whose majority of shares is owned by domestic investors;
  - h. give approval for excess power sale to operating license holders whose licenses issued by the district/city governments;
  - i. issue electrical grid utilization licenses in the interest of telecommunications, multimedia, and informatics to grids owned by district/city government-appointed power supply license holders or district/city government-appointed operating license holders;
  - j. direct and supervise entities engaged in the field of electricity whose licenses issued by the district/city governments;
  - k. appoint district/city electricity inspector(s); and
  - l. impose administrative sanctions on entities whose licenses issued by the district/city governments.

CHAPTER V  
BENEFICIAL USE OF PRIMARY ENERGY SOURCES  
Article 6

- (1) Primary energy sources domestically available and/or imported/coming from abroad must be beneficially used in an optimum manner within the national energy policy to enable guarantee of the sustainable power supplies.
- (2) Beneficial use of primary energy sources as intended by section (1) must be made while giving precedence over new energy and renewable energy sources.
- (3) Beneficial use of primary energy sources domestically available as intended by section (1) shall be given precedence in the interest of national electricity.

CHAPTER VI  
GENERAL ELECTRICITY PLAN  
Article 7

- (1) General electricity plan shall be prepared under the national energy policy and adopted by the Government upon consultation with the House of Representatives of the Republic of Indonesia.
- (2) General electricity plan as intended by section (1) shall be prepared in which the regional governments are involved.
- (3) Regional general electricity plan shall be prepared under the national general electricity plan and adopted by the regional governments upon consultation with the Regional House of Representatives.
- (4) Guidelines to preparation of general electricity plan as intended by section (1) and section (3) shall be issued by the Minister.

CHAPTER VII ELECTRICITY BUSINESS  
Part One  
General  
Article 8

Electricity business shall include:

- a. power supply business; and
- b. power support business.

Part Two  
Power Supply Business  
Article 9

Power supply business as intended by Article 8 shall include:

- a. public power supply business; and
- b. captive power supply business.

Article 10

- (1) Public power supply business as intended by Article 9 item (a) shall include the following types of business:
  - a. power generation;
  - b. power transmission;
  - c. power distribution; and/or
  - d. power sale.
- (2) Public power supply business as intended by section (1) may be conducted in an integrated manner.
- (3) Public power supply business as intended by section (2) shall be conducted by 1 (one) entity within 1 (one) business area.

- (4) Limited business areas as intended by section (3) shall also apply to public power supply business limited to only power distribution and/or power sale.
- (5) Business areas as intended by section (3) and section (4) shall be determined by the Government.

#### Article 11

- (1) Public power supply business as intended by Article 10 section (1) shall be conducted by state-owned entities, region-owned entities, private entities, cooperatives, and self-reliant communities engaged in the field of power supplies.
- (2) State-owned entities as intended by section (1) shall receive first priority to conduct public power supply business.
- (3) The competent Government or regional governments shall allow opportunities to region owned entities, private entities, or cooperatives to conduct integrated power supply business in areas where power service is not yet provided.
- (4) Where no region-owned entities, private entities, or cooperatives are able to supply power in those areas, the Government must commission a state-own entity(ies) to supply power.

#### Article 12

Captive power supply business as intended by Article 9 item (b) shall include:

- a. power generation;
- b. power generation and power distribution; or
- c. power generation, power transmission, and power distribution.

#### Article 13

Captive power supply business as intended by Article 12 may be conducted by government agencies, the regional governments, state-owned entities, region-owned entities, private entities, cooperatives, sole proprietorships, and other institutions/entities.

#### Article 14

Ancillary provisions on power supply business as intended by Article 9 through Article 13 shall be governed by Regulation of the Government.

#### Part Three

#### Power Support Business

#### Article 15

Power support business as intended by Article 8 item (b) shall include:

- a. power service business; and
- b. power industry business.

## Article 16

- (1) Power service business as intended by Article 15 item (a) shall include:
  - a. power supply installation consultancy;
  - b. power supply installation construction and performance;
  - c. power installation checking and testing;
  - d. power installation operation;
  - e. power installation maintenance;
  - f. research and development;
  - g. education and training;
  - h. power tools and equipment laboratory testing;
  - i. power tools and equipment certification;
  - j. electricity technician competency certification; or
  - k. other service business directly associated with power supplies.
- (2) Power service business as intended by section (1) shall be conducted by state-owned entities, region-owned entities, private entities, and cooperatives with certification, classification, and qualification under provisions of laws and regulations.
- (3) In the conduct of power service business, state owned entities, region-owned entities, private entities, and cooperatives must give precedence over domestic products and potential.
- (4) Ancillary provisions on certification, classification, and qualification of power service business shall be governed by Regulation of the Government.

## Article 17

- (1) Power industry business as intended by Article 15 item (b) shall include:
  - a. power tools industry business; and/or
  - b. power equipment industry business.
- (2) Power industry business as intended by section (1) shall be conducted by state-owned entities, region-owned entities, private entities, and cooperatives.
- (3) In the conduct of power industry business, state owned entities, region-owned entities, private entities, and cooperatives must give precedence over domestic products and potential.
- (4) Power industry business activities as intended by section (1) shall be performed under provisions of laws and regulations.

CHAPTER VIII  
LICENSING  
Part One  
General  
Article 18



Power supply business and power support business as intended by Article 8 shall be conducted upon receipt of business licenses.

Part Two  
Power Supply Licenses and Operating Licenses

Article 19

- (1) A license under which to supply power shall include:
- a. power supply license; and
  - b. operating license.
- (2) Any person to engage in public power supply must hold a power supply license.

Article 20

A power supply license as intended by Article 19 section (1) item (a) shall be issued subject to the types of business as intended by Article 10 section (1).

Article 21

The competent Government or regional governments shall issue power supply licenses.

Article 22

Operating licenses as intended by Article 19 section (1) item (b) shall be issued to power generators with specified capacity as governed by Regulation of the Minister.

Article 23

- (1) Operating licenses as intended by Article 22 shall be issued by the competent Government or regional governments.
- (2) Operating licenses as intended by section (1) shall be issued upon meeting the administrative, administratif, technical, and environmental requirements.
- (3) Operating license holders may sell excess power for the benefit of public interest upon receipt of approval from the competent Government or regional governments.

Article 24

Ancillary provisions on power supply licenses and operating licenses shall be governed by Regulation of the Government.

Part Three  
Power Support Licenses  
Article 25

- (1) Power service business as intended by Article 15 item (a) and Article 16 section (2) shall be conducted upon receipt of power service licenses from the competent Government or regional governments.
- (2) Power service licenses and power industry licenses shall be issued under the provisions of laws and regulations.

#### Article 26

Ancillary provisions on power service licenses shall be governed by Regulation of the Government.

### Part Four Rights and Obligations of Power Supply License Holders Article 27

- (1) In the conduct of power supply business as intended by Article 10 section (1) power supply license holders shall in the public interest be entitled to:
  - a. cross rivers or lakes either above or below the surface;
  - b. cross sea either above or below the surface;
  - c. cross public roads and railway;
  - d. have access to public places or private places and use them temporarily;
  - e. use land and underground;
  - f. cross over land or cross over or below buildings built on land or underground; and
  - g. cut and/or fell obstructing plants.
- (2) In the performance of activities as intended by section (1), power supply license holders must exercise them under laws and regulations.

#### Article 28

Power supply license holders must:

- a. make available power that meets the prevailing quality and reliability standard;
- b. provide as good service as possible to consumers and the public;
- c. meet the electricity safety requirements; and
- d. give precedence over domestic products and potential.

### Part Five Consumer Rights and Obligations Article 29

- (1) Consumers shall have the rights to:
  - a. receive good services;
  - b. have continuous access to power at good quality and reliability;
  - c. have access to power as of right at fair price;
  - d. receive repair services in case of electrical faults; and

- e. recover damages in case of outage/failure through operating error and/or neglect by power supply license holders under the terms governed in a power sale/purchase agreement.
- (2) Consumers must:
- a. secure against any danger that may arise from the use of power;
  - b. protect the security of consumer power installations;
  - c. use power within its allocation;
  - d. pay electric bills; and
  - e. observe the requirements. electricity technical
- (3) Consumers shall be responsible for their negligence resulting in losses to power supply license holders.
- (4) Ancillary provisions on consumer responsibility as intended by section (3) shall be governed by Regulation of the Minister.

CHAPTER IX  
USE OF LAND  
Article 30

- (1) Use of land by power supply license holders as of right as intended by Article 27 shall require payment of damages with respect to land title or compensation to land, building, and plant title holders under provisions of laws and regulations.
- (2) Damages with respect to land title as intended by section (1) shall be paid for land that is directly used by power supply license holders and for buildings and plants related to land.
- (3) Compensation as intended by section (1) shall be made for the indirect use of land by power supply license holders who results in depreciation of economic value of land, buildings, and plant over which electricity pylons cross.
- (4) Ancillary provisions on calculation of compensation as intended by section (3) shall be governed by Regulation of the Government.
- (5) Where power supply license holders use land, the parcels of which are possessed by land title holders or state land users, power supply license holders must prior to commencing any activities solve the land problem under provisions of land laws and regulations.
- (6) Where power supply license holders use land, the partial area of which is communal land, any solution thereto shall be achieved under provisions of land laws and regulations subject to the local customary law.

Article 31

Obligations to pay damages with respect to land title or compensation as intended by Article 30 section (1) shall not apply to any person by whom building are erected, plants are planted with willfulness, etc. on land already with a location permit for power supply business and to whom damages or compensation with respect to land title are already paid.

## Article 32

- (1) Valuation of and procedures for payment of damages with respect to land title or compensation as intended by Article 30 shall be conducted under provisions of laws and regulations.
- (2) Damages with respect to land title or compensation as intended by Article 30 shall be for the account of power supply license holders.

## CHAPTER X

### POWER SALES PRICES, ELECTRICAL GRID RENT PRICES, AND TARIFFS

#### Part One

#### Power Sales Prices and Electrical Grid Rent Prices

#### Article 33

- (1) Power sales prices and electrical grid rent prices shall be set under the principle of sound business.
- (2) The competent Government or regional governments shall give approval for power sales prices and electrical grid rent prices.
- (3) At no time shall power supply license holders charge power sales prices and electrical grid rent prices without approval of the Government or the regional governments.

#### Part Two

#### Power Tariffs

#### Article 34

- (1) The competent Government shall set consumer power tariffs upon consent of the House of Representatives of the Republic of Indonesia.
- (2) The competent regional governments shall set consumer power tariffs upon consent of the Regional House of Representatives under guidelines adopted by the Government.
- (3) Where the regional governments are unable to set power tariffs as intended by section (2), the Government shall set power tariffs for said regions upon consent of the House of Representatives of the Republic of Indonesia.
- (4) Consumer power tariffs as intended by section (1), section (2), and section (3) shall be set with due regard to the balanced interests of nation, regions, consumers, and power supply business actors.
- (5) Any region within one business area may vary in consumer power tariffs as intended by section (1) and section (2).

#### Article 35

At no time shall power supply license holders charge consumer power tariffs other than in accordance with tariffs set by the Government or the regional governments as intended by Article 34.

#### Article 36

Ancillary provisions on procedures for power sale and grid rent pricing, and power tariff as intended by Article 33 and Article 34 shall be governed by Regulation of the Government.

### Part Three Cross-Border Electricity Trading Article 37

Cross-border electricity trading shall be conducted by power supply license holders under a license by the Government.

#### Article 38

Cross-border electricity trading may be conducted through power purchase or sale.

#### Article 39

Cross-border power purchase as intended by Article 38 may be made on the following conditions:

- a. local electricity needs are not yet met;
- b. only to act as support to meet local electricity needs;
- c. not adverse to the state and nation interest with respect to sovereignty, security, and economic development;
- d. to improve the quality and reliability of local power supply.
- e. to not disregard the development of domestic power supply capability; and
- f. to not raise dependence on power procurement from abroad

#### Article 40

Cross-border power sale as intended by Article 38 shall be made if:

- a. electricity needs of the local and surrounding areas have been met;
- b. power sale prices are not subsidized
- c. not compromise the quality and reliability of local power supply.

## Article 41

Ancillary provisions on cross-border electricity trading as intended by Article 37 through Article 40 shall be governed by Regulation of the Government.

## CHAPTER XI THE ENVIRONMENT AND ENGINEERING

### Part One The Environment

#### Article 42

Any electricity business activities must meet the provisions as stated in the environmental laws and regulations.

### Part Two Engineering Article 43

Electricity engineering shall include:

- a. electricity safety, and
- b. electrical grids utilization in the interests of telecommunications, multimedia, and informatics.

#### Article 44

- (1) Any electricity business activities must meet the electricity safety requirements.
- (2) The electricity safety requirements as intended by section (1) shall aim at achieving condition that is:
  - a. reliable and safe for installations;
  - b. safe from any danger for humans and other living things; and
  - c. environment-friendly.
- (3) The electricity safety requirements as intended by section (1) shall include:
  - a. to meet power tool and equipment standardization;
  - b. to secure power installations; and
  - c. to secure power equipment.
- (4) Any power installation in operation must hold a commissioning certificate.
- (5) Any power tool and equipment must meet the Indonesian national standard requirements.
- (6) Any technician with electricity business must hold a competency certificate.
- (7) Provisions on electricity safety, commissioning certificates, Indonesian national standard, and competency certificates as intended by section (1) through section (6) shall be governed by Regulation of the Government.

## Article 45

- (1) Electrical grid utilization in the interests of telecommunications, multimedia, and informatics may only be conducted to the extent not affect the viability of power supplies.
- (2) Electrical grid utilization as intended by section (1) may only be conducted upon approval of grid owners.
- (3) Electrical grid utilization as intended by section (1) shall be conducted upon a grid utilization license that is issued by the competent Government or regional governments.
- (4) Ancillary provisions on electrical grid utilization as intended by section (1) and section (2) shall be governed by Regulations of the Government.

## CHAPTER XII DIRECTION AND SUPERVISION Article 46

- (1) The competent Government or regional governments shall direct and supervise power supply business pertaining to:
  - a. energy source supply and utilization for power generators;
  - b. fulfillment of adequate power supplies;
  - c. fulfillment of technical requirements;
  - d. fulfillment of environmental protection;
  - e. preferential use of domestic goods and services;
  - f. employment of foreign workers;
  - g. achievement in power supply quality and reliability levels;
  - h. licensing eligibility;
  - i. power tariff charge; and
  - j. achievement of quality of service provided by power support business.
- (2) In the exercise of supervision as intended by section (1), the Government and the regional governments may:
  - a. conduct site inspections;
  - b. inquire about electricity business reports;
  - c. conduct research and evaluation of electricity business reports; and
  - d. impose administrative sanctions against violation of licensing requirements.
- (3) In the exercise of engineering supervision as intended by section (1), the Government and the regional governments shall be with the assistance of an electricity inspector(s) and/or a Civil Servant Investigator(s).
- (4) Ancillary provisions on direction and supervision shall be governed by Regulation of the Government.

## CHAPTER XIII INVESTIGATIONS Article 47

- (1) In addition to Investigators of the State Police of the Republic of Indonesia, specified Civil Service Officials with the scope of duties and responsibilities in the field of electricity shall be granted special authority as Investigators as intended by the Law of Criminal Procedure to conduct criminal investigations in the field of electricity.
- (2) Civil Service Investigators as intended by section (1) shall be authorized to:
  - a. make examinations of the truth of reports or information about criminal acts in electricity business activities;
  - b. make examinations of any persons that are suspected of perpetrating criminal acts in electricity business activities;
  - c. call persons to be heard and examined as witnesses or suspects in criminal cases in electricity business activities;
  - d. search places that are suspected of being used to perpetrate criminal acts in electricity business activities;
  - e. make examinations of facilities and infrastructure of electricity business activities and cease the use of equipment that is suspected of being used to perpetrate criminal acts;
  - f. seal and/or seize electricity business activity instruments that are used to perpetrate criminal acts as means of proof;
  - g. procure experts that are required in connection with examinations of criminal cases in electricity business activities and
  - h. arrest and detain electricity perpetrators under laws and regulations.
- (3) Civil Service Investigators as intended by section (1) shall inform Officials of the State Police of the Republic of Indonesia of the initiation of criminal case investigations under provisions of laws and regulations.
- (4) Authority as intended by section (2) shall be exercised under provisions of laws and regulations.

CHAPTER XIV  
ADMINISTRATIVE SANCTIONS  
Article 48

- (1) Any person in violation of the provisions as intended by Article 16 section (3), Article 17 section (3), Article 27 section (2), Article 28, Article 33 section (3), Article 35, Article 37, Article 42, or Article 45 section (3) shall be imposed administrative sanctions through:
  - a. written warning;
  - b. suspension; and/or
  - c. revocation of license.
- (2) Administrative sanctions as intended by section (1) shall be effected by the competent Minister, governors, or regents/mayors.
- (3) Ancillary provisions on procedures for imposition of administrative sanctions as intended by section (1) shall be governed by Regulation of the Government.



CHAPTER XV  
PENAL PROVISIONS

Article 49

- (1) Any person who conducts public power supply business without a license as intended by Article 19 section (2) shall be sentenced to imprisonment of at most 3 (three) years and a fine of at most Rp2,000,000,000.00 (two billion rupiah).
- (2) Any person who conducts public power supply business without an operating license as intended by Article 22 shall be sentenced to imprisonment of at most 5 (five) years and a fine of at most Rp4,000,000,000.00 (four billion rupiah).
- (3) Any person who sells excess power for the benefit of public interest without approval of the Government or the regional governments as intended by Article 23 section (3) shall be sentenced to imprisonment of at most 2 (two) years and a fine of at most Rp2,000,000,000.00 (two billion rupiah).

Article 50

- (1) Any person who fails to meet the electricity safety as intended by Article 44 section (1) resulting in death of person from power shall be sentenced to imprisonment of at most 10 (ten) years and a fine of at most Rp500,000,000.00 (five hundred million rupiah).
- (2) Power supply license holders or operating license holders who commit acts as intended by section (1) shall be sentenced to imprisonment of at most 10 (ten) years and a fine of at most Rp1,000,000,000.00 (one billion rupiah).
- (3) Other than sentences as intended by section (2), power supply license holders or operating license holders are also obligated to compensate the victims in damages.
- (4) Requirements and procedures for payment in damages as intended by section (3) shall be implemented under provisions of laws and regulations.

Article 51

- (1) Any person who fails to meet the electricity safety as intended by Article 44 section (1) to affect the viability of power supplies shall be sentenced to imprisonment of at most 3 (three) years and a fine of at most Rp500,000,000.00 (five hundred million rupiah).
- (2) If an act as intended by section (1) results in power outage/failure to the detriment of the public shall be sentenced to imprisonment of at most 5 (five) years and a fine of at most Rp2,500,000,000.00 (two billion five hundred million rupiah).
- (3) Any person who consumes electricity in an unauthorized manner unlawfully shall be sentenced to imprisonment of at most 7 (seven) years and a fine of at most Rp2,500,000,000.00 (two billion five hundred million rupiah).

#### Article 52

- (1) Any person engaged in power supply business not meeting obligations to the land, building, and plant title holders as intended by Article 30 section (1) shall be sentenced to imprisonment of at most 5 (five) years and a fine of at most Rp3,000,000,000.00 (three billion rupiah)..
- (2) Other than sentences as intended by section (1), additional sanctions of revocation of power supply license or operating license may be imposed.

#### Article 53

Any person who performs power service business activities in an unlicensed manner as intended by Article 25 section (1) shall be sentenced to imprisonment of at most 5 (five) years and a fine of at most Rp2,000,000,000.00 (two billion rupiah).

#### Article 54

- (1) Any person who operates power installations without a commissioning certificate as intended by Article 44 section (4) shall be sentenced to imprisonment of at most 5 (five) years and a fine of at most Rp500,000,000.00 (five hundred million rupiah).
- (2) Any person who produces, distributes, or trades in power tools and equipment other than in accordance with the Indonesia national standard as intended by Article 44 section (5) shall be sentenced to imprisonment of at most 5 (five) years and a fine of at most Rp5,000,000,000.00 (five billion rupiah).

#### Article 55

- (1) Where a criminal act as intended by Article 49 through Article 54 is committed by an entity, such an entity and its management shall be imposed sentence.
- (2) Where sentence as intended by section (1) is imposed on an entity, a maximum fine shall be imposed plus one third of it.

### CHAPTER XVI TRANSITIONAL PROVISIONS

#### Article 56

Upon this Law coming into effect:

- (1) PT Perusahaan Listrik Negara (Persero) as state- owned entity that is formed under Regulation of the Government Number 23 of 1994 concerning Change in the Form of Public Enterprise into Limited Liability Company shall be deemed to have held a power supply license.

- (2) Within a period of not exceeding 2 (two) years, the Government shall already prepare and issue a power supply license to state-owned entity as intended by item 1 under the provisions of this Law.
- (3) Public Power Business Licenses, Captive Power Business Licenses, and Power Support Business Licenses that have been issued under Law Number 15 of 1985 concerning Electricity shall remain valid until their expiration.
- (4) Within a period of not exceeding 2 (two) years, Public Power Business Licenses, Captive Power Business Licenses, and Power Support Business Licenses that have been issued under Law Number 15 of 1985 concerning Electricity as intended by item 3 are subject to adjustment to the provisions of this Law.

CHAPTER XVII  
CONCLUDING PROVISIONS  
Article 57

- (1) Upon this Law coming into effect, Law Number 15 of 1985 concerning Electricity (State Gazette of the Republic of Indonesia Number 74 of 1985, Supplement to State Gazette of the Republic of Indonesia Number 3317) is revoked and declared no longer valid.
- (2) Ancillary regulations on electricity already existing under Law Number 15 of 1985 concerning Electricity shall remain valid to the extent not against or not yet replaced under this Law.
- (3) Ancillary regulations to this Law must have been issued not longer than 1 (one) year from when this Law is promulgated.

Article 58

This Law shall take effect from the date it is promulgated.

In order that every person may know of it, the promulgation of this Law is ordered by placement in the State Gazette of the Republic of Indonesia

Stipulated in Jakarta  
on September 23, 2009  
PRESIDENT OF THE REPUBLIC OF INDONESIA,  
sgd.

ANDI MATTALATTA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA NUMBER 133 OF 2009.  
SUPPLEMENT TO STATE GAZETTE OF THE REPUBLIC OF INDONESIA NUMBER 5052

ELUCIDATION  
ON  
LAW OF THE REPUBLIC OF INDONESIA  
NUMBER 30 YEAR 2009  
CONCERNING  
ELECTRICITY

I. General :

Development in electricity sector has aim to improve the public welfare and advance the intellectual life of the people in order to meet the objectives of national development for the creation of just and prosperous society through a fair distribution both in material and spiritual manner under Pancasila and the 1945 Constitution of the Republic of Indonesia. Electric power as one of the outcomes of natural resource utilization has important role in the realization of attainment of the objectives of national development. Given that electric power is fundamental to the state especially in the realization of public welfare for all sectors and bearing in mind Article 33 section (2) of the 1945 Constitution of the Republic of Indonesia, this Law affirms that electric power supply shall be controlled by the state and used in the best prosperity of the people with its organization being conducted by the Government and the regional governments. The competent Government or regional governments shall make policies, regulation, and supervision and implement electric power supply business. The Government and the regional governments shall conduct power supply business, of which the implementation shall be undertaken by state-owned entities and region-owned entities. To enhance the capability of the state in the power supply, this Law gives opportunities to private entities, cooperatives, and self-reliant communities to participate in the power supply business.

The competent Government or regional governments shall within the regional autonomy principles issue power supply licenses. Various electricity issues of concerns faced by the nation and state today have been anticipated by this Law that governs, inter alia, division of integrated power supply business areas, application of regional tariffs applicable only for one certain business area, electrical grid utilization in the interest of telecommunications, multimedia, and informatics, as well as cross-border electricity trading former Law Number 15 of 1985 concerning Electricity does not govern.

To increase public power supply also requires exercise of legal enforcement powers in the electricity field. The Government and the regional governments shall have the authority to direct and supervise the implementation of electricity, including supervision of engineering.

Despite benefit, electric power can also present a danger. Accordingly, to further guarantee the public safety, occupational safety, installation security, and conservation of environmental functions in the supply electric power and utilization of electric power, electric power installation must use electricity equipment and tools that meet the electricity equipment standards.

II. ARTICLE BY ARTICLE :

Article 1 :       Sufficiently Clear

Article 2 :

Article 2 Section (1) (a):

“The principle of benefit” means the results of electricity development should be in beneficial use in the best welfare and prosperity of the people.

Article 2 Section (1) (b):

“The principle of just efficiency” means electricity development should be undertaken at a reasonable minimum cost with the results enjoyed in a distributive manner by all of the people.

Article 2 Section (1) (c):

“The principle of sustainability” means power supply business should be managed properly to enable sustainable viability. 7

Article 2 Section (1) (d):

“The principle of optimum economics with the beneficial use of energy resources” means energy sources for power generation should be in use with due regard to the availability of energy sources.

Article 2 Section (1) (e):

“The principle of self-reliance” means electricity development should be undertaken while setting a value on the domestic capability.

Article 2 Section (1) (f):

“The principle of sound business” means electricity business is conducted by serving the principles of transparency, accountability, responsibility, and fairness.

Article 2 Section (1) (g):

“The principles of security and safety” means the supply and beneficial use of power should consider installation security, human safety, and the environment around the installations.

Article 2 Section (1) (h):

“The principle of conservation of environmental functions” means the provision of power supply should consider the conservation of environmental functions and the surrounding environment.

Article 3 :

Article 3 Section (1):

Given power is one of the important and strategic production sectors in national life, power supply business shall be taken control by the state, of which the implementation is dedicated to serving the best interest and prosperity of the people.

Article 4 :

Article 4 Section (1):

State-owned entities and region-owned entities shall under this provision be those engaged in the power supply business.

Article 4 Section (2):

Participation of private entities, cooperatives, and self-reliant communities is invited to strengthen the power needs. Self-reliant communities may be in legal entity form.

Article 4 Section (3):

Sufficiently clear

Article 5 : Sufficiently Clear

Article 6:

Article 6 Section (1): Sufficiently Clear

Article 6 Section (2):

New energy and renewable energy sources shall be beneficially used with due regard to their economies.

Article 7 :

Article 7 Section (1):

“National energy policy” means national energy policy as intended by Law concerning Energy.

Article 8 : Sufficiently Clear

Article 9 : Sufficiently Clear

Article 10 :

Article 10 Section (1): Sufficiently Clear

Article 10 Section (2): Sufficiently Clear

Article 10 Section (3): Sufficiently Clear

Article 10 Section (4): Sufficiently Clear

Article 10 Section (5):

A business area shall not be an administrative area of the government.

Article 11 :

Article 11 Section (1): Sufficiently Clear

Article 11 Section (2):

Priority to state-owned entities constitutes the embodiment of the control of the state over power supplies. State-owned entities shall be entities that are solely engaged in the field of power supplies.

Article 12 : Sufficiently Clear

Article 13:

“Captive power supply” means power supply for own consumption, not for trade. “Other institutions/entities” means representatives of foreign institutions or foreign entities.

Article 14: Sufficiently Clear

Article 15: Sufficiently Clear

Article 16 :

Article 16 Section (1): Sufficiently Clear

Article 16 Section (2): Sufficiently Clear

Article 16 Section (3):

Foreign products and potential may be in use if no domestic products and potential are available.

Article 17 :

Article 17 Section (1): Sufficiently Clear

Article 17 Section (2): Sufficiently Clear

Article 17 Section (3):

Foreign products and potential may be in use if no domestic products and potential are available.

Article 18 : Sufficiently Clear

Article 19 : Sufficiently Clear

Article 20 : Sufficiently Clear

Article 21:

In the issue of licenses, the Government or the regional governments shall have due regard to the power supply capability of the power supply license holders in possession of the local business area. A power supply license shall contain, inter alia, the name and address of the entity, the type of business granted, obligations of the conduct of business, technical requirements, and sanctions.

Article 22 : Sufficiently Clear

Article 23 : Sufficiently Clear

Article 24 : Sufficiently Clear

Article 25 : Sufficiently Clear

Article 26 : Sufficiently Clear

Article 27 : Sufficiently Clear

Article 28 :

Article 28 (a): Sufficiently Clear

Article 28 (b): Sufficiently Clear

Article 28 (c): Sufficiently Clear

Article 28 (d):

Foreign products and potential may be in use if no domestic products and potential are available.

Article 29 :

Article 29 Section (1) : Sufficiently Clear

Article 29 Section (2) (a): Sufficiently Clear

Article 29 Section (2) (b):

“Consumer power installations” means power installations following the installations of electric meters or load limit controllers.

Article 29 Section (2) (c): Sufficiently Clear

Article 29 Section (2) (d): Sufficiently Clear



Article 29 Section (2) (e): Sufficiently Clear

Article 29 Section (3): Sufficiently Clear

Article 29 Section (4): Sufficiently Clear

Article 30 Section (1): Sufficiently Clear

Article 30 Section (2):

Damages with respect to land title shall include the remaining land the title holders cannot use as result of partial use of land by power supply license holders.

“Directly” means the use of land for the construction of power installations, inter alia, generation, electrical substations, and electricity pylon sites.

Article 30 Section (3):

“Indirect use” in this provision includes, inter alia, the use of land over which transmission lines cross.

Article 30 Section (4): Sufficiently Clear

Article 30 Section (5): Sufficiently Clear

Article 30 Section (6): Sufficiently Clear

Article 31 : Sufficiently Clear

Article 32: Sufficiently Clear

Article 33 Section (1):

“Power sales price” includes all costs in connection with power sale by power generators.

“Electrical grid rent price” includes all costs associated with power transmission and/or distribution grid rent.

Article 33 Section (2):

In giving approval for power sales prices and electrical grid rent prices, the Government or the regional governments shall have due regard to agreement among entities.

Article 33 Section (3): Sufficiently Clear

Article 34 Section (1):

Consumer power tariffs include all costs to which consumer power consumption relates, inter alia, fees (Rp/kVA) and billing charges (Rp/kWh), reactive power billing charges (Rp/kVAh), and/or maximum kVA fees paid at subscription rates (Rp/month) within the power limits consumed or other forms.

Article 34 Section (2): Sufficiently Clear

Article 34 Section (3): Sufficiently Clear

Article 34 Section (4):

“The interest of regions” includes, inter alia, economic and industrial development in regions.

Article 35: Sufficiently Clear

Article 36: Sufficiently Clear

Article 37: Sufficiently Clear

Article 38: Sufficiently Clear

Article 39 :

Article 39 (a): Sufficiently Clear

Article 39 (b): Sufficiently Clear

Article 39 (c): Sufficiently Clear

Article 39 (d): Sufficiently Clear

Article 39 (e):

“Development of domestic power supply capability” means development of energy sources, human resources, and technology.

Article 39 (f): Sufficiently Clear

Article 40: Sufficiently Clear

Article 41: Sufficiently Clear

Article 42: Sufficiently Clear

Article 43: Sufficiently Clear

Article 44: Sufficiently Clear

Article 44: Sufficiently Clear

Article 45: Sufficiently Clear

Article 46: Sufficiently Clear

Article 47: Sufficiently Clear

Article 48: Sufficiently Clear

Article 49: Sufficiently Clear

Article 50: Sufficiently Clear

Article 51: Sufficiently Clear

Article 52: Sufficiently Clear

Article 53: Sufficiently Clear

Article 54: Sufficiently Clear

Article 55: Sufficiently Clear

Article 56 (1): Sufficiently Clear

Article 56 (2):

The preparation aims to make state-owned entities more efficient and effective in provision of power supply services to the public.

Article 56 (3): Sufficiently Clear

Article 56 (4): Sufficiently Clear

Article 57: Sufficiently Clear

Article 58: Sufficiently Clear

SUPPLEMENT TO THE STATE GAZETTE OF REPUBLIC OF INDONESIA NUMBER 5052