



The Minister of Communication and Informatics
of the Republic of Indonesia

THE REGULATION OF THE MINISTER OF COMMUNICATION AND INFORMATICS
OF THE REPUBLIC OF INDONESIA

NUMBER 20 OF 2016
REGARDING
PROTECTION OF PERSONAL DATA IN ELECTRONIC SYSTEM

WITH THE BLESSINGS OF GOD ALMIGHTY

THE MINISTER OF COMMUNICATION AND INFORMATICS
OF THE REPUBLIC OF INDONESIA

Considering : Whereas for implementing the provision of the Article 15 of the Government Regulation Number 82 of 2012 regarding Electronic System and Transaction Implementation, it is necessary to stipulate The Regulation of Minister of Communication and Informatics regarding Protection of Personal Data in Electronic System;

Taking into account : 1. Law Number 11 of 2008 regarding Electronic Information and Transaction (the State Gazette of the Republic of Indonesia of 2008 Number 58, Supplement to the State of the Republic of Indonesia Number 4843);
2. Law Number 39 of 2008 regarding State Ministry (the State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to the State of the Republic of Indonesia Number 4916);
3. Government Regulation Number 82 of 2012 regarding Electronic System and Transaction Implementation (the State Gazette of the Republic of Indonesia of 2012 Number 189, Supplement to the State of the Republic of Indonesia Number 5348);
4. Presidential Regulation Number 7 of 2015 regarding Organization of State Ministry (the State Gazette of the Republic of Indonesia of 2015

- Number 8);
5. Presidential Regulation Number 54 of 2015 regarding Communication and Informatics Ministry (the State Gazette of the Republic of Indonesia of 2015 Number 96);
 6. Regulation of the Minister of Communication and Informatics Number 1 of 2016 regarding Organization and Work Governance of the Ministry of Communication and Informatics (the State Gazette of the Republic of Indonesia of 2016 Number 103);

HAS DECIDED:

To stipulate : THE REGULATION OF MINISTER OF COMMUNICATION AND INFORMATICS REGARDING PROTECTION OF PERSONAL DATA IN ELECTRONIC SYSTEM

CHAPTER 1 GENERAL PROVISIONS

Article 1

In this Minister Regulation, those are meant by:

1. Personal Data means certain personal data stored, maintained which truthfulness and confidentiality thereof secured and protected.
2. Certain Individual Data means any true and distinctive information attached and identifiable either directly or indirectly to the respective individuals which utilization thereof shall be in accordance with the laws and regulations.
3. Owner of Personal Data means an individual to whom the Certain Individual Data is attached.
4. Owner's Approval of Personal Data hereinafter referred to as Approval means a written statement either made manually and/or electronically given by Owner of Personal Data after having obtained a complete explanation regarding the act for procuring, collecting, processing, analyzing, storing, displaying, announcing, transmitting and disseminating together with confidentiality or non-confidentiality or the Personal Data.
5. Electronic System means a set of electronic apparatus and procedures which functions to prepare, collect, process, analyze, store, display, announce, transmit and/or disseminate electronic information.
6. Electronic System Operator means any Person, state apparatus, Business Entity and community who provides, manages, and /or operates Electronic System either individually or collectively to the Electronic System User for its own purpose and/or for other party purposes.

7. Electronic System User which is hereinafter referred to as the User means any Person, state apparatus, Business Entity, and community who utilizes product, service, facility or information provided by the Electronic System Operator.
8. Business Entity means sole proprietorships enterprise or partnership enterprise, either as legal entity or non-legal entity.
9. Minister means a minister in charge of government affairs in the field of communication and informatics.
10. Director General means a director general whose duties and functions is in the field of informatics application.

Article 2

- (1) Personal Data protection in the Electronic System shall cover protection against procuring, collecting, processing, analyzing, storing, displaying, publishing, transmitting, disseminating, and destroying of Personal Data.
- (2) In implementing the provision as meant in the Paragraph (1), it must be based on a good Personal Data protection principle which covers:
 - a. respect towards Personal Data as privacy;
 - b. Personal Data is confidential pursuant to Approval and/or based on the provision of laws and regulations;
 - c. based on Approval;
 - d. relevance with the purpose of procuring, collecting, processing, analyzing, storing, displaying, publishing, transmitting and disseminating;
 - e. the worthiness of Electronic System used;
 - f. good faith to notify immediately in writing to the Personal Data Owner for any failure on Personal Data protection;
 - g. availability of internal rules regarding protection management of the Personal Data;
 - h. responsibility on the Personal Data which is the possession of the User;
 - i. Accessibility and correction on the Personal Data by the Personal Data Owner; and
 - j. integrity, accuracy, validity and update of the Personal Data.
- (3) The privacy as meant in the Paragraph 2 letter (a) constitutes as a freedom of the Personal Data Owner to declare confidentiality or not to declare confidentiality of its Personal Data, unless provided otherwise pursuant to the provision of laws and regulations.
- (4) The Approval as meant in the Paragraph (2) letter (b) shall be given after the Personal Data Owner declares confirmation upon the truthfulness, confidentiality status and the purpose of the management of the Personal Data.
- (5) The validity as meant in the Paragraph (2) letter (j) constitutes as legality in procuring, collecting, processing, analyzing, storing, displaying, publishing, transmitting, disseminating, and destroying of the Personal Data.

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CHAPTER II
PROTECTION
First Part
General

Article 3

Personal Data protection in the Electronic System is conducted at the time of:

- a. procuring and collecting;
- b. processing and analyzing;
- c. storing;
- d. displaying, publishing, transmitting, disseminating, and/or access opening ;and
- e. destroying;

Article 4

- (1) Electronic System used for the process as meant in the Article 3 must be under certification.
- (2) Implementation of certification as meant in the Paragraph (1) must be in accordance with the provision of laws and regulations.

Article 5

- (1) Any Electronic System Operator must have internal rules regarding the protection of the Personal Data to conduct the process as meant in the Article 3.
- (2) Any Electronic System Operator must prepare internal rules regarding the protection of the Personal Data as a form of a preventive measure to avoid any failure in the protection of Personal Data managed by him/her/it.
- (3) Preparation of the internal rules as meant in the Paragraph (1) and the Paragraph (2) must consider the aspect of technology application, human resources, method and cost and must refer to the provision in this Minister Regulation and other relevant laws and regulations.
- (4) Other preventive measure to avoid any failure in the protection of Personal Data managed by him/her/it must be taken by any Electronic System Operator, at least in the form of activities:
 - a. to improve human resources awareness in their environment to give protection to the Personal Data in the Electronic System managed by them; and
 - b. to conduct training on the prevention of failure in the protection of the Personal Data in the Electronic System managed by him/her/it for the human resources in their environment.

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Article 6

The Electronic System Operator conducting the process as meant in the Article 3 shall be obliged to provide approval form in Indonesian Language to request the Approval from the said Personal Data Owner.

Second Part The Personal Data Procurement and Collection

Article 7

- (1) The procurement and collection of the Personal Data by the Electronic System Operator must be restricted to the relevant information and in accordance with its purpose, and it must be conducted accurately.
- (2) Supervisory Agency and Sector Supervisory may determine the relevant information and fit for its purpose as meant in the Paragraph (1).

Article 8

- (1) In procuring and collecting the Personal Data, the Electronic System Operator must respect the Personal Data Owner on its Personal Data which is privacy in nature.
- (2) The respect to the Personal Data Owner on the Personal Data which is privacy in nature as meant in the Paragraph (1) is conducted through the provision of choice in the Electronic System for Personal Data Owner against:
 - a. confidentiality or non-confidentiality of the Personal Data; and
 - b. change, addition or renewal of the Personal Data.
- (3) Choice for Personal Data Owner against the confidentiality or non-confidentiality of the Personal Data as meant in the Paragraph (2) letter (a) shall not apply if the laws and regulations have expressly declared that specific Personal Data for certain elements thereof are declared confidential.
- (4) Choice for Personal Data Owner against change, addition or renewal of the Personal Data as meant in the Paragraph (2) letter (b) to give opportunity for Personal Data Owner who intends to make replacement of Certain Individual Data belongs to him/her/it.

Article 9

- (1) The procurement and collection of the Personal Data by the Electronic System Operator must be made based on the Approval or based on the provision of laws and regulations.
- (2) The Personal Data Owner who gives Approval as meant in the Paragraph (1) may declare the Certain Individual Data belongs to him/her/it is/are confidential.
- (3) In the event the Approval as meant in the Paragraph (2) does not include the Approval for disclosure of confidentiality of the Personal Data, then:
 - a. any Person conducting procurement and collection of the Personal Data; and

- b. the Electronic System Operator;
must keep the confidentiality of the said Personal Data.
- (4) The provision to keep the confidentiality of the Personal Data for any Person and the Electronic System Operator as meant in the Paragraph (3) shall also apply to the Personal Data declared confidential pursuant to the provision of laws and regulations.

Article 10

- (1) The Personal Data procured and collected directly must be verified to the Personal Data Owner.
- (2) The Personal Data procured and collected indirectly must be verified based on the processing result from various data sources.
- (3) The data sources in the procurement and collection of the Personal Data as meant in the Paragraph (2) must have valid legal grounds.

Article 11

- (1) The Electronic System used to accommodate the procurement and collection of the Personal Data must:
 - a. have interoperability and compatibility capabilities; and
 - b. use legal software.
- (2) Interoperability and compatibility capabilities as meant in the Paragraph (1) letter (a) must be in accordance with the provision of laws and regulations.
- (3) Interoperability as meant in the Paragraph (2) constitutes as different Electronic System capability in order to be able to work in integrity.
- (4) Compatibility as meant in the Paragraph (2) constitutes as compatibility between one Electronic System with the other Electronic System.

Third Part

The Process and Analysis of the Personal Data

Article 12

- (1) The Personal Data can only be processed and analyzed in accordance with the need of the Electronic System Operator which has been declared clearly at the time of its procurement and collection thereof.
- (2) The process and analysis of the Personal Data as meant in the Paragraph (1) must be made based on the Approval.

Article 13

The provision as meant in the Article 12 Paragraph (2) does not apply if the said process and analysis of the Personal Data originated from the Personal Data which has been displayed or published openly by the Electronic System for the public services.

Article 14

The Personal Data processed and analyzed must be the Personal Data which accuracy thereof has been verified.

Fourth Part The Storage of the Personal Data

Article 15

- (1) The Personal Data stored in the Electronic System must be the Personal Data which accuracy thereof has been verified.
- (2) The Personal Data stored in the Electronic System must be in the form of the encrypted data.
- (3) The Personal Data as meant in the Paragraph (1) must be stored in the Electronic System:
 - a. in accordance with the provision of laws and regulations regulating obligation of Personal Data storage period with the respective Supervisory Agency and Sector Supervisory ; or
 - b. the shortest of 5 (five) years if there has not been any provision of laws and regulations especially regulating the same.

Article 16

If the Personal Data Owner is no longer as the User, the Electronic System Operator is obliged to store the said Personal Data pursuant to the time limit as meant in the Article 15 Paragraph (2) as from the last date the Personal Data Owner as the User.

Article 17

- (1) Data center and disaster recovery center of the Electronic System Operator for public services used to process the Personal Data protection as meant in the Article 3 must be placed within the territory of the Republic of Indonesia.
- (2) The data center as meant in the Paragraph (1) constitutes as a facility used to place the Electronic System and the relevant component for the purpose of placing, storing and processing of data.

- (3) The disaster recovery center as meant in the Paragraph (1) is a facility used to restore data or information and important functions of the Electronic System disturbed or damaged due to disaster caused by nature or human being.
- (4) Further provision regarding the obligation to place data center and disaster recovery center within the territory of Indonesia as meant in the Paragraph (1) shall be regulated by Supervisory Agency and the relevant Sector Supervisory in accordance with the provision of laws and regulations after being coordinated with the Minister.

Article 18

- (1) The storage of the Personal Data in the Electronic System must be made in accordance with the provision regarding the procedures and security means of the Electronic System.
- (2) The Procedures and security means of the Electronic System as meant in the Paragraph (1) shall be made in accordance with the provision of laws and regulations.

Article 19

If the storage period of the Personal Data has exceeded the time limit as meant in the Article 15 Paragraph (2), the Personal Data in the Electronic System may be deleted unless the said Personal Data is still used or utilized in accordance with the original purpose of its procurement and collection.

Article 20

If the Personal Data Owner request deletion of Certain Individual Data belongs to him/her/it, such deletion request shall be made in accordance with the provision of laws and regulations.

Fifth Part

Display, Publishing, Transmission, Dissemination; and/or Access Opening of the Personal Data

Article 21

- (1) To display, publish, transmit, disseminate and /or to open access of the Personal Data in the Electronic System can only be made:
 - a. upon the Approval unless it is provided otherwise by the provision of laws and regulations; and
 - b. after its accuracy and compatibility with its purpose of procurement and collection of the said Personal Data has been duly verified.
- (2) To display, publish, transmit, disseminate and /or to open access of the Personal Data in the Electronic System as meant in the Paragraph (1) including those that are conducted inter Electronic System Operators, inter Electronic System Operators and the Users, or inter Users.

Article 22

- (1) Transmission of the Personal Data managed by the Electronic System Operator with the government agency and the regional government and community or private sector domiciled within the territory of the Republic of Indonesia to the outside territory of the Republic of Indonesia must:
 - a. coordinate with the Minister or official/institution given authority to do so; and
 - b. apply the provision of laws and regulations regarding the exchange of the Personal Data across country border.
- (2) The implementation of coordination as meant in the Paragraph (1) letter (a) shall be made in the form of:
 - a. report of an implementation plan for transmitting the Personal Data which at least shall contain the clear name of the destination country, the clear name of the recipient, the execution date, and the reason/purpose of transmission;
 - b. advocacy request if needed; and
 - c. report on activities implementation result.

Article 23

- (1) For the purpose of law enforcement process, the Electronic System Operator is obliged to provide the Personal Data contained in the Electronic System or the personal Data generated from the Electronic System upon a valid request from the legal enforcement apparatus based on the provision of laws and regulations.
- (2) The Personal Data as meant in the Paragraph (1) is the relevant Personal Data and in accordance with the need of law enforcement.

Article 24

- (1) Use and utilization of the Personal Data displayed, published, received and disseminated by the Electronic System Operator must be based on the Approval.
- (2) The use and utilization of the Personal Data as meant in the Paragraph (1) must be in accordance with the purpose of procuring, collecting, processing and/or analyzing of the Personal Data.

Sixth Part Destruction of the Personal Data

Article 25

- (1) The destruction of the Personal Data in the Electronic System can only be made if:
 - a. it has passed the provision of storage period of the Personal Data in the Electronic System based on this Minister Regulation or in accordance with other provision of

- laws and regulations especially regulating with the respective Supervisory Agency and Sector Supervisory for that matter; or
- b. upon the request of the Personal Data Owner unless it is provided otherwise by the provision of laws and regulations.
- (2) The destruction as meant in the Paragraph (1) must be to delete part or all related documents of the Personal Data including electronic as well as non-electronic managed by the Electronic System Operator and/or the User so that the said Personal Data can not be displayed again in the Electronic System unless the Personal Data Owner gives his/her/its new Personal Data.
 - (3) The deletion of part or all dossier as meant in the Paragraph (2) is made based on the Approval or in accordance with the provision of other laws and regulations especially regulating with the respective sectors for that purpose.

CHAPTER III THE RIGHTS OF PERSONAL DATA OWNER

Article 26

The Personal Data Owner is entitled:

- a. to the confidentiality of his/her/its Personal Data;
- b. to file complaint to the Minister for the purpose of dispute settlement of the Personal Data due to the failure in the protection of the confidentiality to his/her/its Personal Data by the Electronic System Operator;
- c. to obtain access or opportunity to change or to renew his/her/its Personal Data without interfering management system of the Personal Data unless it is provided otherwise by the provision of laws and regulations;
- d. to obtain access or opportunity to get history of his/her/its Personal Data ever given to the Electronic System Operator to the extent it is still in accordance with the provision of laws and regulations; and
- e. to request the destruction of Certain Individual Data owned by him/her/it in the Electronic System managed by the Electronic System Operator, unless it is provided otherwise by the provision of laws and regulations.

CHAPTER IV THE OBLIGATIONS OF THE USER

Article 27

The User is obliged:

- a. to keep the confidentiality of the Personal Data procured, collected, processed and analyzed by him/her/it;

- b. to use the Personal Data only in accordance with the need of the User;
- c. to protect the Personal Data together with document containing the said Personal Data from any misuse acts; and
- d. to be responsible for the Personal Data which is in his/her/its possession, either possession in the organization within his/her/its authorization or individual, if any of misuse acts occur.

CHAPTER V THE OBLIGATIONS OF THE ELECTRONIC SYSTEM OPERATOR

Article 28

Any Electronic System Operator is obliged:

- a. to make certification of the Electronic System managed by him/her/it in accordance with the provision of laws and regulations;
- b. to maintain the truthfulness, validity, confidentiality, accuracy, relevance and fitness with the purpose of procurement, collection, process, analysis, storage, display, publishing, transmission, dissemination and destruction of the Personal Data;
- c. to notify in writing to the Personal Data Owner if any failure to confidentiality protection of the Personal Data in the Electronic System managed by him/her/it occurs, with the terms of notification as follows:
 - 1. it must be accompanied with reasons and causes of the occurrence of the failure to the confidentiality protection of the Personal Data;
 - 2. it must be able to be made electronically if the Personal Data Owner has given Approval to do so as stated at the time the procurement and collection of his/her/its Personal Data is conducted;
 - 3. it must be ensure that the notification is duly received by the Personal Data Owner if the said failure contains potential losses to the concerned party; and
 - 4. the written notification sent to the Personal Data Owner at the latest 14 (fourteen) days as from the said failure is known;
- d. to have internal rules related to the protection of the Personal Data in accordance with the provision of laws and regulations;
- e. to provide audit trail records on all implementation activities of Electronic System managed by him/her/it;
- f. to give option to the Personal Data Owner regarding the Personal Data managed by him/her/it may /or may not be used and/or displayed by/with third party upon the Approval to the extent it is still related to the purpose of the procurement and collection of the Personal Data;
- g. to give access or opportunity to the Personal Data Owner to change or to renew his/her/its Personal Data without interfering with the management system of the Personal Data unless it is provided otherwise by the provision of laws and regulations;

- h. to destroy the Personal Data in accordance with the provision of this Minister Regulation or the provision of other laws and regulations especially regulating with the respective Supervisory Agency and Sector Supervisory for that purpose; and
- i. to provide contact person who is easily contacted by the Personal Data Owner in relation to the management of his/her/its Personal Data.

CHAPTER VI DISPUTE RESOLUTION

Article 29

- (1) Each Personal Data Owner and the Electronic System Operator may file complaint to the Minister for any protection failure to the confidentiality of the Personal Data.
- (2) The complaint as meant in the Paragraph (1) is intended as a remedy for amicable dispute resolution or as a remedy for other alternative resolution.
- (3) The complaint as meant in the Paragraph (1) is made based on reasons:
 - a. no written notification has been made for the failure on the confidentiality protection of the Personal Data by the Electronic System Operator to the Personal Data Owner or other Electronic System Operator related to the said Personal Data, either it has any potential to cause losses or not; or
 - b. it has caused losses to the Personal Data Owner or other Electronic System Operator related to the failure on the confidentiality protection to the said Personal Data although written notification has been made for the failure of confidentiality protection to the Personal Data but the time for its notification is in delay.
- (4) The Minister may coordinate with the Chief of the Supervisory Agency and Sector Supervisory to follow-up the complaint as meant in the Paragraph (1).

Article 30

- (1) The Minister delegates the authority for dispute resolution of the Personal Data as meant in the Article 29 to the Director General.
- (2) The Director General may set up a panel of dispute resolution on the Personal Data.

Article 31

- Complaint and the handling of the complaint shall be made based on the procedures as follows:
- a. the complaint must be made at the latest within 30 (thirty) business days as from the complainant knows the information as meant in the Article 29 Paragraph (3) letter (a) or (b);
 - b. the complaint is filed in writing containing:
 - 1. name and address of the complainant;
 - 2. reason or basis of the complaint;
 - 3. request for resolution of the issue complained;

4. place of complaint, time for filing the complaint, and the signature of the complainant;
- c. the complaint must be accompanied with the supporting evidences;
- d. the officer/team of dispute resolution of the Personal Data on the failure of confidentiality protection to the Personal Data is obliged to respond to the complaint at the latest within 14 (fourteen) business days as from the complaint is received which contains at least the complete or non-complete complaint;
- e. the non-complete complaint must be completed by the complainant at the latest within 30 (thirty) business days as from the complainant receives the response as meant in the letter (d) and if the said time limit is passed the complaint shall be deemed cancelled;
- f. the dispute resolution official/institution for the Personal Data on the failure of the confidentiality protection to the Personal Data is obliged to handle the resolution on the complaint starting 14 (fourteen) business days as from the complaint is received completely;
- g. dispute resolution based on the said complete complaint is made amicably or through other alternative resolution remedy pursuant to the provision of laws and regulations; and
- h. the dispute resolution official/institution of the Personal Data on the failure of the confidentiality protection to the Personal Data handling the complaint may give recommendation to the Minister to impose administrative sanction to the Electronic System Operator although the said complaint may or may not be resolved amicably or through other alternative resolution remedy.

Article 32

- (1) If in the remedy for amicable dispute resolution or in other alternative remedy, dispute resolution on the failure of confidentiality protection to the Personal Data could not resolve the dispute on the failure of confidentiality protection to the Personal Data, each Personal Data Owner and Electronic System Operator may file lawsuit for the occurrence of the failure of confidentiality protection to the Personal Data.
- (2) The lawsuit as meant in the Paragraph (1) is only a civil lawsuit and it shall be filed in accordance with the provision of laws and regulations.

Article 33

- (1) If in the process of law enforcement by the law enforcement apparatus pursuant to the provision of laws and regulations who is authorized to levy attachment, those that can be attached are only the Personal Data related to the legal case without attaching all his/her/its Electronic System.
- (2) The Electronic System Operator providing, storing and/or managing the attached Personal Data as meant in the Paragraph (1) is prohibited from taking any acts whatsoever which may cause any change or any deletion of the said Personal Data and shall remain obligated to protect the security or to give confidentiality protection to the Personal Data in the Electronic System managed by him/her/it.

CHAPTER VII
ROLE OF THE GOVERNMENT AND COMMUNITY

Article 34

- (1) To facilitate the implementation of protection of the Personal Data in the Electronic System and to empower the community participation, the Director General shall educate community regarding:
 - a. the meaning of the Personal Data;
 - b. the essence of the Personal Data having privacy nature;
 - c. the meaning of the Approval and its consequences;
 - d. the meaning of the Electronic System and its mechanism;
 - e. the rights of the Personal Data Owner, the obligations of the User, and the obligations of the Electronic System Operator;
 - f. the provision regarding dispute resolution if failure of confidentiality protection to the Personal Data by the Electronic System Operator occurs; and
 - g. the provision of other laws and regulations related to the protection of the Personal Data in the Electronic System.
- (2) The community may participate in the implementation of education as meant in the Paragraph (1).
- (3) The implementation of the provision as meant in the Paragraph (1) may be conducted through education and/or training, advocacy, technical guidance and socialization by using various media.

CHAPTER VIII
SUPERVISION

Article 35

- (1) Supervision on the implementation of this Minister Regulation shall be conducted by the Minister and/or the Chief of Supervisory Agency and Sector Supervisory.
- (2) Supervision implemented by the Minister as meant in the Paragraph (1) shall cover direct or indirect supervision.
- (3) The Minister is authorized to request data and information from the Electronic System Operator for the purpose of protecting the Personal Data.
- (4) The request of data and information as meant in the Paragraph (3) may be made periodically or at any time if it is required.
- (5) The Minister delegates authority of supervision to the Director General.

CHAPTER IX
ADMINISTRATIVE SANCTION

Article 36

- (1) Any Person who procures, collects, processes, analyzes, stores, displays, publishes, transmits, and/or disseminates the Personal Data without right or not in accordance with the provision in this Minister Regulation or other laws and regulations shall be subject to administrative sanction in accordance with the provision of laws and regulations in the form of:
 - a. verbal warning;
 - b. written warning;
 - c. suspension of activities; and/or
 - d. notice in the website online.
- (2) The provision regarding the implementing procedures on administrative sanction as meant in the Paragraph (1) shall be provided in the Minister Regulation.
- (3) Administrative sanction given by the Minister or the Chief of Supervisory Agency and related Sector Supervisory in accordance with the provision of laws and regulations.
- (4) The imposition of the sanction by the Chief of Supervisory Agency and related Sector Supervisory as meant in the Paragraph (3) is conducted after being coordinated with the Minister.

CHAPTER X
OTHER PROVISION

Article 37

- (1) If the Personal Data Owner is an individual including in this category children, pursuant to the provisions of laws and regulations, the granting of the Approval as meant in this Minister Regulation shall be given by the parents or guardian of the said children.
- (2) The parents as meant in the Paragraph (1) means biological father or mother of the said children pursuant to the provision of laws and regulations.
- (3) The guardian as meant in the Paragraph (1) means a person who has obligation to take care of the said children before such children become adult pursuant to the provision of laws and regulations.

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CHAPTER XI
TRANSITIONAL PROVISION

Article 38

The Electronic System Operator who has provided, stored and managed the Personal Data before the effectiveness of this Minister Regulation shall remain obliged to keep the confidentiality of the Personal Data managed by him/her/it and to adjust with this Minister Regulation at the latest within 2 (two) years.

CHAPTER XII
CLOSING PROVISION

Article 39

This Minister Regulation shall be effective on the date it is promulgated.

For public cognizance, it is hereby instructed to promulgate this Minister Regulation by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta
On 7 November 2016

THE MINISTER OF INFORMATION AND INFORMATICS OF
THE REPUBLIC OF INDONESIA,

[signed]

RUDIANTARA

Promulgated in Jakarta
On 1 December 2016

THE DIRECTOR GENERAL OF LAWS AND REGULATIONS OF
THE MINISTRY OF LAW AND HUMAN RIGHTS OF THE
REPUBLIC OF INDONESIA

[signed]

WIDODO EKATJAHJANA

THE STATE GAZETTE OF THE REPUBLIC OF INDONESIA, YEAR OF 2016, NUMBER 1829
The Copy is in accordance with its original

The Ministry of Communication and Informatics
Chief of Law Bureau

[signed and chopped with its
official stamp]

Bertiana Sari

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