

Every Internet shop (WarNet) in Indonesia is illegal Owners face up to 6 years in prison !

Sang Ayu Made Karnasih is in prison for operating internet shop without license from DirJen PosTel in Jakarta

On Friday, July 1, we had a meeting with our lawyer Azhari and some friends.
We discussed the prosecutor's statements as given in his reply to Azharis exception appeal.

Most important results:

Prosecution stated that our partnership (franchise) with holder of national ISP license PT Pasifik Lintas Buana was not related to this case !!!

We believe this indicates that prosecution understands that the subject of investigation (our franchise contract was on-the-spot declared illegal by police) was wrong from the beginning!

Thus cv. Candi Internet as represented by sole "suspect" director/owner Sang Ayu is indicted/charged only for Internet access operations provided directly and by ourselves and as offered on our website www.CandiInternet.com .

On this website we never offered ANY Internet **access** services.

Only services like web hosting, web design, website promotion, etc, which do not require any special licenses.

The only Internet access services we ever offered or even planned to offer on our own are the services we provide in our Internet shop (WarNet).

We then checked the telecommunication law 36 from 1999 which Sang Ayu supposedly violated and did not find any exception for Internet shops!

Our company was notarized 2001 with the purpose to provide internet services (ISP) including an Internet shop.

Our trade licenses (TDP and SIUP) are covering our business as "Jasa Internet".

This is not enough to make our Internet shop strictly legal:

Every Internet shop in Indonesia obviously needs an ISP license from DirJen PosTel in Jakarta.

Research we conducted on DirJen PosTel's website www.postel.go.id and using www.Google.com later confirmed this legal analysis.

So police, prosecution and now the court they are legally right.

We violated law No. 36 from 1999 by operating an Internet Access Business without the required ISP license from DirJen PosTel.

We shall apply for exception again, as the responsibility for this crime should be with the Ministry for Trade and Industry (Dinas Perindustrian) who issued our trade licenses.

The Dinas Perindustrian did not provide any teaching.

Every WarNet (Internet shop) in Indonesia is in the same situation like us!

Their owners all face possible police investigation and a maximum penalty of 6 years according to the law!

We need to ask the President of Indonesia to step in and eventually issue a presidential decree excepting WarNets from the requirement to have an ISP license from DirJen PosTel.

Sang Ayu is still in prison without ever committing a crime she could possibly have been be aware of !