

THE PRESIDENT OF THE REPUBLIC OF INDONESIA
GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA
NUMBER 9 OF YEAR 2012 CONCERNING
CATEGORY AND TARIFF OF NON TAX STATE REVENUE
COMPONENTS APPLICABLE AT THE MINISTRY OF ENERGY AND
MINERAL RESOURCES

WITH THE BLESSING OF GOD THE ALMIGHTY

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

Considering :a. that with the existence of change of organizational structure at the Ministry of Energy and Mineral Resources and the presence of category and tariff on Non Tax State Revenue components which are not yet regulated or require adjustment in the Government Regulation Number 45 of Year 2003 about Tariff on Non Tax State Revenue components applicable at the Ministry of Energy and Mineral Resources, category and tariff on Non Tax State Revenue components applicable at the Ministry of Energy and Mineral Resources need to be regulated again.

b. that based on the consideration as referred to in alphabet a and to implement the term of Article 2 clause (2) and clause (3) and Article 3 clause (2) of Law Number 20 of Year 1997 about

Non Tax State Revenue, A Government Regulation about category and tariff on Non Tax State Revenue Components applicable at the Ministry of Energy and Mineral Resources;

- In view of:
1. Article 5 clause (2) of the Constitution of the Republic of Indonesia of Year 1945;
 2. Law Number 20 of Year 1997 concerning Non Tax State Revenue (State Gazette of the Republic of Indonesia of Year 1997 Number 43, Addendum of State Gazette of the Republic of Indonesia Number 3687);
 3. Law Number 22 of Year 1997 concerning Category and Payment of Non Tax State Revenue (State Gazette of the Republic of Indonesia of Year 1997 Number 57, Addendum of State Gazette of the Republic of Indonesia Number 3694), as has been amended by Government Regulation Number 52 of Year 1998 concerning the Amendment of Government Regulation Number 22 of Year 1997 concerning Category and Payment of Non Tax State Revenue (State Gazette of the Republic of Indonesia of Year 1998 Number 85, Addendum of State Gazette of the Republic of Indonesia Number 3760);

HEREBY RESOLVES:

To declare : GOVERNMENT REGULATION ABOUT CATEGORY AND TARIFF ON NON TAX STATE REVENUE COMPONENTS

APPLICABLE AT THE MINISTRY OF ENERGY AND
MINERAL RESOURCES

Article 1

(1) Non Tax State Revenue Components applicable at the Ministry of Energy and Mineral Resources are originated from:

- a. The Secretariat General;
- b. The Directorate General of Petroleum and Natural Gas;
- c. The Director General Mineral and Coal,
- d. The Directorate General of New, Renewable Energy, and Energy Conservation;
- e. The Geology Agency;
- f. Energy and Mineral Resources Education and Training Agency; and
- g. Energy and Mineral Resources Research and Development Agency; and

(2) category and tariff on of Non Tax State Revenue components as referred to in clause (1) alphabet b to alphabet are as declared in the Appendix of this Government Regulation.

- (3) The sales prices written in the appendix as referred to in clause (2) constitutes the sales price determined based on the provisions of law.

Article 2

- (1) Non Tax State Revenue components at the Secretariat General as referred to in Article 1 clause (1) alphabet a are originated from state revenue which makes the portion of the government from the result of collaboration of service in management and utilization of data in petroleum and natural gas with another party.
- (2) The provision about the procedure of determination of portion of the government from the result of collaboration as referred to in clause (1) shall be regulated according to the Regulation of the Minister of Energy and Mineral Resources.
- (3) The collaboration in the service of management and utilization of data in petroleum and natural gas with another party as referred to in clause (1) shall be written in a collaboration agreement in management and utilization of data in petroleum and natural gas.
- (4) In the collaboration agreement as referred to in clause (3), the amount of government portion must be stated.

Article 3

- (1) As addition to the Non Tax State Revenue as declared in the appendix, Non Tax State Revenue components at the Directorate General of Petroleum and Natural Gas also include:
 - a. signature bonus which is an obligation of the petroleum and natural gas contractor;
 - b. financial obligations on termination of collaboration contract which has not met exploration definite commitment.
- (2) The amount of signature bonus as referred to in clause (1) alphabet a shall be defined in the collaboration contract.
- (3) The amount of financial obligation as referred to in clause (1) alphabet b shall be determined based on total exploration definite commitment which has not been carried out when the collaboration contract is terminated.

Article 4

- (1) As addition to the Non Tax State Revenue as declared in the appendix, Non Tax State Revenue components at the Directorate General of Mineral and Coal also include:

- a. compensation for information data of exploration Mining Business Permit Area (WIUP) or exploration Exclusive Mining Business Permit Area (WIUPK) for metal and coal minerals;
 - b. the compensation cost for investment of production operation Mining Business Permit Area or production operation Exclusive Mining Business Permit Area (WIUPK) of metal and coal minerals which has been terminated; and
 - c. portion of the Government from net profit from the holder of production operation Exclusive Mining Business Permit (IUPK) for metal and coal minerals.
- (2) The amount of compensation for information data and compensation for investment as referred to in clause (1) alphabet a and alphabet b is defined at the amount of result of bid executed according to the provisions of law.
- (3) The amount of the portion of the Government as referred to in clause (1) alphabet c is at 4% (four percent) of the net profit of the holder of production operation Exclusive Mining Business Permit (IUPK) for metal and coal minerals.

(1) As addition to the Non Tax State Revenue as declared in the appendix, the components of Non Tax State Revenue at the Directorate of New Energy, Renewable Energy, and Energy Conservation also include revenue from price of data in geothermal work areas.

(2) The Tariff for Service on the price of data of geothermal work area as referred to in clause (1) shall be calculated based on the formula of:

$$HDf = HDte \times Fa \times Fb \times Fc \times Fd$$

(3) HDte, Fa, Fb, Fc, and Fd as referred to in clause (2) shall be defined by the Minister of Energy and Mineral Resources.

(4) The amount of tariff on the price of data of geothermal work area as referred to in clause (2) in the course of giving incentive to support investment in geothermal is determined at Rp0,00 (null rupiah).

(5) Further provisions about the procedure and requirement of implementation of tariff as referred to in clause (4) shall be declared by the Minister of Energy and Mineral Resources after securing an approval from the Minister of Finance.

Article 6

(1) The tariff on Non Tax State Revenue components at the Geology Agency as referred to in Clause (1) clause (2) which are originated from:

a. The Geology Resource Center, in form of:

1. mineral, coal, and geothermal exploration technology /consulting services, and coal mineral and geothermal geophysics survey service do not include accommodation and transportation fees;
2. expert aid service does not include accommodation and transportation fees;
3. technical equipment service does not include accommodation and transportation fees for the operator, and mobilization of equipment.

b. The Volcanology and Geology Disaster Mitigation Center in form of:

1. volcanology technology and geology disaster mitigation services do not include accommodation and transportation fees, and laboratory fees;
2. expert, technician, and /or surveyor aid services do not include accommodation and transportation fees;

3. technical equipment service does not include accommodation and transportation fees for the operator, and mobilization of equipment.

c. Ground Water Resource and Environmental Geology Center in form of:

1. survey and mapping services, technology /consulting services, and geophysics survey services do not include accommodation and transportation fees;

2. expert and/or technician aid services do not include accommodation and transportation fees; and

3. technical equipment service does not include accommodation and transportation fees for the operator, and mobilization of equipment.

d. The Geology Survey Center, in form of:

1. mapping /research services do not include accommodation and transportation fees;

2. expert aid service does not include accommodation and transportation fees;

3. technical equipment service does not include accommodation and transportation fees for the operator, and mobilization of equipment.

(2) The accommodation, transportation, and /or equipment mobilization fees as referred to in clause (1) which services made outside the office of the Geology Agency shall be borne by the designated payer.

Article 7

(1) On the Non Tax State Revenue components at the Geology Agency as referred to in Article 1 clause (2) which are originated from laboratory service and technical equipment service fees, for government institutions, universities, and college students, special tariffs apply as follows:

1. government institutions and universities at 80% (eighty percent) and

b. The Ministry of Energy and Mineral Resources and college students at 50% (fifty percent);

of the tariff declared in the Appendix of this Government Regulation.

- (2) On the Non Tax State Revenue components at the Geology Agency as referred to in Article 1 clause (2) which are originated from Geology survey product service, for government institutions, universities, and college students, special tariffs apply as follows:
- a. government institutions and universities at 80% (eighty percent), except for the Ministry of Energy and Mineral Resources, to which the tariff does not apply; and
 - b. students and colleges students at 50% (fifty percent),
- of the tariff declared in the Appendix of this Government Regulation.

Article 8

- (1) The tariff on Non Tax State Revenue components at the Energy and Mineral Resources Education and Training Center as referred to in Clause (1) clause (2) which are originated from:
- a. Petroleum and natural Gas Education and Training Center, in form of:
 - 1. petroleum and gas upstream, downstream, and support education and training services do not include the fees for accommodation, laboratory test

service, workshop laboratory service, transportation, and o/r equipment mobilization services;

2. expertise service and laboratory testing services and workshop laboratory services do not include accommodation, transportation, and equipment mobilization fees.

b. Petroleum and Natural Gas Academy Government Service College in form of research and community services do not include accommodation and transportation fees;

c. Mineral and Coal Education and Training Center in form of education equipment service does not include accommodation and transportation fees for the operators, and equipment mobilization fee;

d. Geology Education and Training Center in form of education equipment service does not include accommodation and transportation fees for the operators, and equipment mobilization fee;

e. Electricity, New, Renewable Energy, and Energy Conservation Education and Training Center, in form of:

1. education and training services do not include accommodation, transportation, laboratory, and equipment mobilization fees; and
 2. education and training equipment service does not include accommodation and transportation fees for the operator, and equipment mobilization fee.
- f. Underground Mine Education and Training Agency in from of education and training equipment service does not include the fees for accommodation and transportation for the operators, and equipment mobilization.
- (2) The fee for accommodation, laboratory service, laboratory testing service, and /or workshop laboratory service as referred to in clause (1) for services inside and outside the Energy and Mineral Resources Education and Training Agency shall be borne by the designated payer.
 - (3) The fee for transportation and equipment mobilization as referred to in clause (1) for services given outside the Energy and Mineral Resources Education and Training Agency shall be borne by the designated payer.

- (1) As addition to the Non Tax State Revenue as declared in the appendix, Non Tax State Revenue components at the Energy and Mineral Resource Education and Training agency also include:
 - a. collaboration in energy and mineral resources education and training according to the need of the service users based on a collaboration agreement on energy and mineral resources;
 - b. petroleum processing service which supports petroleum and natural gas education and training activities based on a petroleum processing agreement.
 - c. the processing service of processed petroleum product which supports petroleum and natural gas education and training activities based on an agreement on processing of processed petroleum product.
- (2) The tariff on the Non Tax State Revenue components as referred to in clause (1) conforms to the nominal value written in the energy and mineral resources education and training collaboration agreement, petroleum processing agreement, or an agreement on processing of processed petroleum product.

(1) The tariff on Non Tax State Revenue components at the Energy and Mineral Resources Research and Development Center as referred to in Clause (1) clause which are originated from:

a. The Center for Research and Development of the Technology of Electricity, New, Renewable Energy, and Energy Conservation in form of product certification service and expert aid, technician, and /or surveyor services do not include accommodation and transportation fees;

b. The Center for Research and Development of Mineral and Coal Technology in form of expert , technician, and /or surveyor aids, and mining environment testing services do not include accommodation and transportation fees; and

c. The Center for Research and Development of Marine Geology, in form of:

1. survey technology service does not include equipment mobilization fee; and

2. survey vehicle service does not include accommodation, transportation, equipment mobilization, vessel crew fees, and fuel costs.

- (2) The accommodation, transportation, and equipment mobilization fees for the services as referred to in clause (1) alphabet a, alphabet b, and alphabet c number 1 carried out outside the office of the Energy and Mineral Resources Research and Development Agency shall be borne by the designated payer.
- (3) The accommodation, transportation, equipment mobilization, vessel crew fees, and /or petroleum fuel costs for survey vehicles as referred to in clause (1) alphabet c number 2 shall be borne by the designated payer.

Article 11

On the Non Tax State Revenue components at the Energy and Mineral Resources Research and Development Agency as referred to in Article 1 clause (1) alphabet g which are originated from laboratory services for government institutions, universities, and college students, the following tariff shall apply:

- a. The Ministry of Energy and Mineral Resources and college students at 50% (fifty percent); and
- b. government institutions other than the Ministry of Energy and Mineral Resources and universities at 80% (eighty

percent) of the tariff declared in this Appendix of the Government Regulation.

Article 12

- (1) As addition to the Non Tax State Revenue as declared in the appendix, Non Tax State Revenue components at the Energy and Mineral Resource Research and Development agency also include the service in research and development in energy and mineral resources.
- (2) The tariff on the of Non Tax State Revenue components as referred to in clause (1) conforms to the nominal value written in the collaboration agreement on research and development services in energy and mineral resources.

Article 13

The accommodation and transportation fees imposed on the designated payer as referred to in Article 6, Article 8, and Article 10 shall be executed according to cost standard declared by the Minister of Finance.

Article 14

All Non Tax State Revenue applicable at the Ministry of Energy and Mineral Resources must be paid directly and immediately to the State Cash Account.

Article 15

The provision about procedure of imposition, collection, and payment of Non Tax State Revenue at the Ministry of Energy and Mineral Resources is regulated by the Regulation of the Minister of Energy and Mineral Resources after securing consideration from the Minister of Finance.

Article 16

At the time this Government Regulation takes effect, the Government Regulation Number 45 of Year 2003 about the Tariff on Non Tax State Revenue Components applicable at the Ministry of Energy and Mineral Resources (State Gazette of the Republic of Indonesia of Year 2003 Number 96, Addendum of the State Gazette of the Republic of Indonesia Number 4314), is stated revoked and null and void.

Article 17

This Government Regulation takes effect from the date of promulgation.

For announcement to the public, orders promulgation of this Government Regulation of the Minister by its placement in the State Gazette of the Republic of Indonesia.

Declared in Jakarta
On 6 January, 2012
THE PRESIDENT OF THE REPUBLIC OF
INDONESIA
DR. H. DR.H.SUSILO BAMBANG
YUDHOYONO

Promulgated in Jakarta
On 6 January, 2012
THE MINISTER OF JUSTICE AND HUMAN
RIGHTS OF THE REPUBLIC OF INDONESIA,
signed,
AMIR SYAMSUDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA
OF YEAR 2012 NUMBER 16

Certified copy
THE MINISTRY OF SECRETARIAT OF
STATE OF THE REPUBLIC OF INDONESIA

Assistant Deputy of Legislation

in Economy

[signature and seal]

SETIO SAPTO NUGROHO