



Energy and Resources Regulations Update

The following is a list of the new Energy and Resources regulations.

All regulations are available in Indonesian.

1. Regulation : [Permen ESDM 13/2020](#)
- Date : 7 August 2020
- Title (Indonesian) : Penyediaan infrastruktur pengisian listrik untuk kendaraan bermotor listrik berbasis baterai
- Title (English) : Provision of electricity charging infrastructure for battery-based electric motor vehicles

Summary

In order to accelerate the battery-based electric motor vehicle program, it is necessary to build an electricity charging infrastructure for battery-based electric motor vehicles. This regulation governs several matters as follows:

- General provisions
- Charging facilities, including: private electrical installations, public electric vehicle charging stations
- Battery exchange facility
- Assignment for PT PLN
- Electricity tariff of electricity charging for battery-based electric motor vehicles
- Safety related to electricity
- Guidance and supervision
- Administrative sanctions
- Transitional provisions
- Closing provisions

This regulation is in force since 7 August 2020.

2. Regulation : [Permendag 67/2020](#)
- Date : 28 July 2020
- Title (Indonesian) : Penetapan harga patokan ekspor atas produk pertambangan yang dikenakan bea keluar
- Title (English) : Determination of benchmark export prices for mining products subject to export duty

Summary

Minister of Trade Regulation Number 67 year 2020 covers the determination of benchmark export prices for mining products subject to export duty. The regulation stipulates the export price based on the highest average price in international exchanges, FOB (Free On Board), and the highest average price that applies in the domestic market or the highest average price in the last month before the stipulation of the benchmark export price from the importing country from which the mining products come. The benchmark export price in

the regulation includes the product's description and its tariff in USD/WE unit. This regulation is in force since 1 August 2020.

3. Regulation : [Permen ESDM 12/2020](#)
- Date : 16 July 2020
- Title (Indonesian) : Perubahan ketiga atas Peraturan Menteri Energi dan Sumber Daya Mineral nomor 08 tahun 2017 tentang kontrak bagi hasil gross split
- Title (English) : Third amendment of Minister of Energy and Resources Regulation number 8 year 2017 concerning gross split production sharing contract

Summary

In order to provide legal certainty and increase investment in the oil and gas business activities, it is necessary to amend the Minister of Energy and Mineral Resources Regulation number 8 of 2017 concerning gross split production sharing contract which have been amended several times, most recently by Minister of Energy and Mineral Resources Regulation number 20 of 2019 concerning the second amendment to the Minister of Energy and Mineral Resources Regulation number 8 of 2017 concerning the gross split production sharing contract. This regulation changes several provisions, namely:

- Article 2 regarding the form and main terms of the cooperation contract
- Article 4 related to initial revenue sharing (base split)
- Article 24 is deleted
- Article 25 is deleted, letter d is changed and 1 letter is added, namely letter e related to institution that manage the work area
- Article 25A is deleted

This regulation is in force since 16 July 2020.

4. Regulation : [149 K/12/MEM/2020](#)
- Date : 5 August 2020
- Title (Indonesian) : Harga indeks pasar bahan bakar minyak
- Title (English) : Market index prices of oil-based fuels

Summary

In order to implement the provisions of Article 15 paragraph 1 of Presidential Regulation Number 191 of 2014 concerning the supply, distribution and retail sale price of oil-based fuels, it is necessary to stipulate regulations regarding the market index prices of oil-based fuels. This regulation regulates the following matters:

- types of oil-based fuels
- how to calculate the market index price of oil-based fuels
- stipulation for the market index price of oil-based fuels is determined on a monthly basis
- the market index price of oil-based fuels is determined by the Director General of Oil and Gas

This regulation is in force since 5 August 2020 and revokes the Minister of Energy and Mineral Resources Decree number 1980 K/10/MEM/2018 dated 18 October 2018 concerning the market index price of oil-based fuels.

5. Regulation : [148 K/12/MEM/2020](#)
- Date : 5 August 2020
- Title (Indonesian) : Formula harga dasar jenis bahan bakar minyak tertentu dan jenis bahan bakar minyak khusus penugasan
- Title (English) : Base price formula for certain types of oil-based fuels and types of fuels for special assignment

Summary

Minister of Energy and Resources Decision number 148 K/10/MEM/2019 stipulates the base price formula for certain types of oil-based fuels and types of fuels for special assignment based on acquisition cost that is calculated on monthly basis, distribution cost, storage cost, and margins. The base price formula that are stipulated in this regulation including kerosene, diesel oil and gasoline. This regulation revokes Minister of Energy and Resources Decision number 62 K/10/MEM/2019 that will be no longer in force.

6. Regulation : [147 K/12/MEM/2020](#)
- Date : 5 August 2020
- Title (Indonesian) : Penetapan harga minyak mentah Indonesia bulan Juli 2020
- Title (English) : Determination of Indonesian crude oil prices for July 2020

Summary

Minister of Energy and Mineral Resources Decision Number 147 K/12/MEM/2020 specifically sets the average price of Indonesian crude oil for July 2020 at US\$ 40.64/barrel. This regulation includes the prices of Indonesian crude oil for the main crude oils and other types of crude oil listed in the appendix. For every type of oil, other than their prices, there are also details concerning their formula, dated brent, and alpha. This regulation is in force since 5 August 2020.

7. Regulation : [146 K/32/MEM/2020](#)
- Date : 4 August 2020
- Title (Indonesian) : Harga mineral logam acuan dan harga batubara acuan untuk bulan Agustus tahun 2020
- Title (English) : Reference prices of metallic minerals and coal for August 2020

Summary

Minister of Energy and Resources Decision Number 146 K/32/MEM/2020 covers reference prices of metal minerals for 20 types of metals and reference prices for coal for August 2020. The reference coal price is stipulated at USD/ton. As of August 2020, the reference price for coal is at 50.34 USD/ton. For metallic minerals prices, they are stipulated in US\$/dmt. The types of minerals as stated in the regulation including cobalt, lead, zinc, nickel, aluminium, copper, etc. The reference prices and other details of every type of mineral are all listed in the appendix.



Contact

Clients & Markets

Deloitte Indonesia

Email: IDMarcomm@deloitte.com

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited (“DTTL”), its global network of member firms, and their related entities (collectively, the “Deloitte organisation”). DTTL (also referred to as “Deloitte Global”) and each of its member firms and related entities are legally separate and independent entities, which cannot obligate or bind each other in respect of third parties. DTTL and each DTTL member firm and related entity is liable only for its own acts and omissions, and not those of each other. DTTL does not provide services to clients. Please see www.deloitte.com/about to learn more.

Deloitte is a leading global provider of audit and assurance, consulting, financial advisory, risk advisory, tax & legal and related services. Our global network of member firms and related entities in more than 150 countries and territories (collectively, the “Deloitte organisation”) serves four out of five Fortune Global 500® companies. Learn how Deloitte’s approximately 312,000 people make an impact that matters at www.deloitte.com.

Deloitte Asia Pacific Limited is a company limited by guarantee and a member firm of DTTL. Members of Deloitte Asia Pacific Limited and their related entities, each of which are separate and independent legal entities, provide services from more than 100 cities across the region, including Auckland, Bangkok, Beijing, Hanoi, Ho Chi Minh City, Hong Kong, Jakarta, Kuala Lumpur, Manila, Melbourne, Osaka, Shanghai, Singapore, Sydney, Taipei, Tokyo and Yangon.

About Deloitte Indonesia

In Indonesia, services are provided by Deloitte Touche Solutions.

This communication contains general information only, and none of Deloitte Touche Tohmatsu Limited (“DTTL”), its global network of member firms or their related entities (collectively, the “Deloitte organisation”) is, by means of this communication, rendering professional advice or services. Before making any decision or taking any action that may affect your finances or your business, you should consult a qualified professional adviser.

No representations, warranties or undertakings (express or implied) are given as to the accuracy or completeness of the information in this communication, and none of DTTL, its member firms, related entities, employees or agents shall be liable or responsible for any loss or damage whatsoever arising directly or indirectly in connection with any person relying on this communication. DTTL and each of its member firms, and their related entities, are legally separate and independent entities.