



## 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 10/2023](#)
- Date : 11 September 2023
- Title (Indonesian) : Tata Cara Penyusunan, Penyampaian, dan Persetujuan Rencana Kerja dan Anggaran Biaya Serta Tata Cara Pelaporan Pelaksanaan Kegiatan Usaha Pertambangan Mineral dan Batubara
- Title (English) : Procedures for Preparation, Submission, and Approval of Work Plans and Budget Costs and Procedures for Reporting on the Implementation of Mineral and Coal Mining Business Activities

### Summary

This regulation discusses the reporting of mineral and coal mining activities in Indonesia. This regulation explains the procedures for the preparation, submission, evaluation, and approval of the Work Plan and Budget (RKAB) in the exploration and production operation stages.

The steps of the RKAB approval procedure include:

Preparation of RKAB, in which the holder of a mining business license prepares an RKAB for the exploration and production operation stages,

Submission of RKAB, where the holder of a mining business license submits the RKAB to the Minister or Governor in accordance with their authority in electronic form and or through an information system,

RKAB approval from the Minister or Governor in accordance with their authority to show that the proposed mineral and coal mining business activity plan has met the specified requirements.

Holders of Mining Business License (IUP) and Special Mining Business License (IUPK) must prepare and submit periodic reports, final reports, and special reports to the Minister or Governor. Periodic reports consist of monthly and/or quarterly reports. The final report includes a full exploration report and feasibility study report. This document also explains the procedures for evaluating the report and provides a maximum of 30 working days to approve or reject the RKAB.

This regulation is in effect starting 11 September 2023.

2. Regulation : [335.K/MB.01/MEM.B/2023](#)
- Date : 11 October 2023
- Title (Indonesian) : Harga Mineral Logam Acuan dan Harga Batubara Acuan Untuk Bulan Oktober 2023
- Title (English) : Reference Metal Mineral Price and Reference Coal Price for October 2023

### Summary

The Decree of the Minister of Energy and Resources number 335.K/MB.01/MEM.B/2023 establishes the reference price of metal minerals and reference price of coal for October 2023. The metal mineral commodities mentioned in this Decree are nickel, cobalt, lead, zinc, aluminium, copper, forms of gold, forms of silver, forms of tin, manganese, iron ore, chrome ore, ilmenite concentrate, and titanium concentrate. There are different reference prices for each commodity as seen in the appendix of the Decree.

Reference price for Coal (6.322 GAR) is 123,96 USD/ton,

Reference price for Coal I (5.300 GAR) is 81,38 USD/ton,

Reference price for Coal II (4.100 GAR) is 50,41 USD/ton.

Reference price for Coal III (3.400 GAR) is 25,50 USD/ton.

This regulation is in effect starting 11 October 2023.

3. Regulation : [297.K/MB.01/MEM.B/2023](#)  
Date : 15 September 2023  
Title (Indonesian) : Tata Cara Pemrosesan Penerbitan dan Pendaftaran Izin Usaha Pertambangan  
Title (English) : Processing Procedure for Issuance and Registration of Mining Business License

#### **Summary**

In order to ensure legal certainty and provide guidelines in processing the issuance and registration of mining business licenses, the Minister of Energy and Mineral Resources issued Decree Number 297.K/MB.01/MEM.B/2023 concerning Processing Procedure for Issuance and Registration of Mining Business License.

The procedures that mining companies must follow to obtain a mining permit include the following:

Submission of application, where a mining company must submit an application for processing and registration of the mining permit that should also include administrative requirements and criteria for the mining area.

Administrative, Technical, Environmental, and Financial Requirements must be fulfilled.

Criteria for Mining Area that includes ensuring that the mining area does not overlap with other mining areas of the same commodity and is not located in restricted areas.

Evaluation and processing of the application will be evaluated and processed by the relevant authorities, including the Director General of Minerals and Coal and other relevant departments.

This regulation is in effect starting 15 September 2023.

4. Regulation : [296.K/MB.01/MEM.B/2023](#)  
Date : 14 September 2023  
Title (Indonesian) : Penetapan Jenis Komoditas Yang Tergolong Dalam Klasifikasi Mineral Kritis  
Title (English) : Determination of Commodity Types Included in the Classification of Critical Minerals

#### **Summary**

The Indonesian government has issued regulations regarding the implementation of mining activities and the classification of critical minerals. The regulations include the determination of specific commodities that are classified as critical minerals, which are minerals that are important for the national economy and defense and have the potential for supply disruptions without suitable alternatives. The classification is based on criteria such as minerals used as raw materials in national strategic industries.

This regulation is in effect starting 14 September 2023.

5. Regulation : [291.K/GL.01/MEM.G/2023](#)  
Date : 14 September 2023  
Title (Indonesian) : Standar Penyelenggaraan Persetujuan Penggunaan Air Tanah  
Title (English) : Standard for the Implementation of Groundwater Use Approval

#### **Summary**

Decree of the Minister of Energy and Mineral Resources on Standards for the Implementation of Groundwater Use Approval. This regulation outlines the procedures and requirements for obtaining approval for groundwater use in river areas and other groundwater basins. Applications for approval may be submitted by individuals, community groups, government agencies, legal entities, or social institutions. Applications can be made to fulfill daily needs or group activities with a minimum groundwater usage of 100 cubic meters per month. This document also describes the process of verification, evaluation and issuance of groundwater use approval. If groundwater exploration drilling or excavation is not carried out within 60 days, the approval can be declared void. In addition, this document also includes requirements for reporting the results of groundwater exploration drilling/excavation and supervision of pumping test activities. If the application is denied, the applicant must close the exploratory groundwater drilling/digging well.

This regulation is in effect starting 14 September 2023.

6. Regulation : [290.K/MB.01/MEM.B/2023](#)  
Date : 14 September 2023  
Title (Indonesian) : Harga Mineral Logam Acuan dan Harga Batubara Acuan Untuk Bulan September 2023  
Title (English) : Reference Metal Mineral Prices and Reference Coal Prices for September 2023

#### **Summary**

The Decree of the Minister of Energy and Resources number 290.K/MB.01/MEM.B/2023 establishes the reference price of metal minerals and reference price of coal for September 2023. The metal mineral commodities mentioned in this Decree are nickel, cobalt, lead, zinc, aluminium, copper, forms of gold, forms of silver, forms of tin, manganese, iron ore, chrome ore, ilmenite concentrate, and titanium concentrate. There are different reference prices for each commodity as seen in the appendix of the Decree.

Reference price for Coal (6.322 GAR) is 133,13 USD/ton,

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Reference price for Coal I (5.300 GAR) is 89,11 USD/ton,

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Reference price for Coal II (4.100 GAR) is 53,83 USD/ton.

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Reference price for Coal III (3.400 GAR) is 31,82 USD/ton.

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This regulation is in effect starting 14 September 2023.

7. Regulation : [324.K/MG.03/DJM/2023](#)  
Date : 1 September 2023  
Title (Indonesian) : Harga Minyak Mentah Indonesia Bulan Agustus 2023  
Title (English) : Indonesia Crude Oil Price in August 2023

#### **Summary**

This regulation sets the price of Indonesian crude oil in August 2023, which includes prices for Primary Crude Oil and Other Crude Oil. The Other Crude Oil Price consists of Permanent Crude Oil Price and Temporary Crude Oil Price. The average price of Indonesian Crude Oil for August 2023 is US\$ 82,59/barrel. This regulation also contains an appendix that describes the prices of various types of main crude oil, permanent crude oil, and temporary crude oil, along with their formulas.

This regulation is in effect starting 1 September 2023.

8. Regulation : [258.K/MB.01/MEM.B/2023](#)
- Date : 18 August 2023
- Title (Indonesian) : Pedoman Pemberian Wilayah Izin Usaha Pertambangan dan Wilayah Izin Usaha Pertambangan Khusus Mineral Logam dan Batubara
- Title (English) : Guidelines for Granting Mining Business License Areas and Special Mining Business License Areas for Metal Minerals and Coal

#### **Summary**

This regulation is issued by the Minister of Energy and Mineral Resources of the Republic of Indonesia. The regulation outlines the guidelines for granting mining business permits in Indonesia, particularly in the mineral and coal mining sector. The key points mentioned include:

The need for guidelines to improve investment in mineral and coal mining.

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The necessity to update existing regulations and guidelines.

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The process for granting mining permits to state-owned and local businesses, including priority offers and auctions.

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The eligibility criteria for different types of businesses based on their size and type of mining.

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The formation of committees to oversee the auction process.

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This regulation revokes the previous guidelines for granting mining business license areas and special mining business license areas for metal minerals and coal.

This regulation is in effect starting 18 August 2023.

9. Regulation : [Kepmendag 1643/2023](#)
- Date : 29 August 2023
- Title (Indonesian) : Harga Patokan Ekspor atas Produk Pertambangan yang Dikenakan Bea Keluar
- Title (English) : Export Benchmark Price of Mining Products Subject to Export Duty

#### **Summary**

In order to carry out the Decree of the Minister of Trade Number 1643 of 2023 concerning Procedures for Determining the Export Benchmark Price of Mining Products Subject to Export Duty, this regulation is constituted to determine the export benchmark price of mining products subject to export duty. The addendum in this regulation discloses the standard export price for each mining product subject to export duty for the period of 1 September 2023 – 30 September 2023. Mining products included in this regulation are as follows:

Copper concentrates with a variety of level of contents,

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Laterite iron concentrates with a variety of level of contents,

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Lead concentrates with a variety of level of contents,

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Zinc concentrates with a variety of level of contents.

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This regulation is in effect starting 1 September 2023.



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