

**THE AMENDMENT TO REGULATION OF
THE MINISTER OF FINANCE NUMBER
139/PMK.02/2013 REGARDING PROCEDURES FOR
THE PAYMENT OF DOMESTIC MARKET OBLIGATION
FEE, OVER LIFTING OF CONTRACTOR AND/OR
UNDER LIFTING OF CONTRACTOR IN UPSTREAM OIL
AND NATURAL GAS BUSINESS ACTIVITIES
(Regulation of the Minister of Finance Number
230/PMK.02/2015, dated December 18, 2015)**

BY GRACE OF GOD THE ALMIGHTY
THE MINISTER OF FINANCE OF
THE REPUBLIC OF INDONESIA,

Considering:

- a. that the provision on procedures for the payment of domestic market obligation fee, over lifting of contractor and/or under lifting of contractor in upstream oil and natural business activities has been regulated in Regulation of the Minister of Finance Number 139/PMK.02/2013 on Procedures for the Payment of Domestic Market Obligation Fee, Over Lifting of Contractor and/or Under Lifting of Contractor in Upstream Oil and Natural Gas Business Activities;
- b. that in the framework of adjusting to the settlement of liabilities and receivables of the government in relations to upstream oil and natural gas

business activities, it is necessary to improve Regulation of the Minister of Finance Number 139/PMK.02/2013 on Procedures for the Payment of Domestic Market Obligation Fee, Over Lifting of Contractor and/or Under Lifting of Contractor in Upstream Oil and Natural Gas Business Activities;

- c. that having regards to letters a and b, it is necessary to stipulate a regulation of the Minister of Finance on the Amendment to Regulation of the Minister of Finance Number 139/PMK.02/2013 concerning Procedures for the Payment of Domestic Market Obligation Fee, Over Lifting of Contractor and/or Under Lifting of Contractor in Upstream Oil and Natural Gas Business Activities;

In view of:

1. Presidential Regulation Number 95 Year 2012 on the Transfer of Task and Function of Upstream Oil and Natural Gas Business Activities (Statute Book

- of the Republic of Indonesia Year 2012 Number 226);
2. Presidential Regulation Number 9 Year 2013 on the Management of Upstream Oil and Natural Gas Business Activities (Statute Book of the Republic of Indonesia Year 2013 Number 24);
 3. Regulation of the Minister of Finance Number 139/PMK. 02/2013 on Procedures for the Payment of Domestic Market Obligation Fee, Over Lifting of Contractor and/or Under Lifting of Contractor in Upstream Oil and Natural Gas Business Activities;

D E C I D E S :

To stipulate:

THE REGULATION OF THE MINISTER OF FINANCE ON THE AMENDMENT TO REGULATION OF THE MINISTER OF FINANCE NUMBER 139/PMK.02/2013 REGARDING PROCEDURES FOR THE PAYMENT OF DOMESTIC MARKET OBLIGATION FEE, OVER LIFTING OF CONTRACTOR AND/OR UNDER LIFTING OF CONTRACTOR IN UPSTREAM OIL AND NATURAL GAS BUSINESS ACTIVITIES.

Article I

A new article is supplemented between Article 8 and Article 9 of Regulation of the Minister of Finance Number 139/PMK.02/2013 on Procedures for the Payment of Domestic Market Obligation Fee, Over Lifting of Contractor and/or Under Lifting of Contractor in Upstream Oil and Natural Gas Business Activities to become Article 8A, which reads as follows:

Article 8A

- (1) In the framework of the settlement of request for the payment of DMO Fee and/or Under Lifting of contractor as meant in Article 7 paragraph (1), the Directorate General of Budgetary Affairs may include liabilities of the government to contractor and liabilities of PT Pertamina (Persero) in upstream oil and natural gas business activities to the government.
- (2) The contractor as meant in paragraph (1) shall be contractor with criteria:
 - a. having share partly or wholly owned by PT Pertamina (Persero) directly or indirectly; and
 - b. acting as operator in working area of upstream oil and natural gas business.
- (3) In the case of production sharing contract of the working area being signed by the government and contractors, contractor acting as operator in the working area of upstream oil and natural gas business as meant in paragraph (2) letter b shall be contractor appointed by the government as the party in charge of the management of a working area of upstream oil and and natural gas business.

- (4) The amount of DMO Fee and/or Under Lifting of contractor which may be included by the government to the contractor as meant in paragraph (1) shall refer to the amount regulated in production sharing contract of the respective contractors and maximally as much as the participating interest of the contractor in working area of upstream oil and natural gas business.
- (5) The participating interest as meant in paragraph (4) shall constitute the percentage of the right of contractor in a working area of upstream oil and natural gas business on the basis of the ownership percentage in accordance with production sharing contract.

Article II

The ministerial regulation shall come into force as from the date of promulgation.

For public cognizance, the regulation shall be promulgated by placing it in State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

On December 18, 2015

THE MINISTER OF FINANCE OF THE REPUBLIC OF INDONESIA

sgd

BAMBANG P.S. BRODJONEGORO

Promulgated in Jakarta

On December 18, 2015

THE DIRECTOR GENERAL OF LEGISLATION OF THE MINISTRY OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA

sgd

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA

YEAR 2015 NUMBER 1908

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