

THE AMENDMENT TO PRESIDENTIAL REGULATION NUMBER 64 YEAR 2012 ON PROVISION, DISTRIBUTION AND PRICING OF FUEL GAS FOR LAND TRANSPORTATION (Presidential Regulation Number 125 Year 2015, dated November 2, 2015)

BY GRACE OF GOD THE ALMIGHTY

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

Considering:

- a. that in the framework of executing energy diversification in the form of provision and distribution of fuel gas, besides the provision and distribution of fuel oil, the government has stipulated Presidential Regulation Number 64 Year 2012 on Provision, Distribution and Pricing of Fuel Gas for Land Transportation;
- b. that in order to expedite the realization of energy diversification in the form of the provision and distribution of fuel gas for land transportation, besides the provision and distribution of fuel oil, it is necessary to improve and re-regulate policies on the provision, distribution and pricing of fuel gas for land transportation;
- c. that having regards to letters a and b, it is necessary to stipulate a presidential regulation on the Amendment to Presidential Regulation Number 64 Year 2012 on Provision, Distribution and Pricing of Fuel Gas for Land Transportation;

In view of:

- 1. Article 4 paragraph (1) of the Constitution of 1945;
- 2. Law Number 22 Year 2001 on Oil and Natural Gas (Statute Book of the Republic of Indonesia Year 2001 Number 136, Supplement to Statute Book of the Republic of Indonesia Number 4152);
- 3. Law Number 30 Year 2007 on Energy (Statute Book of the Republic of Indonesia Year 2007 Number 96, Supplement to Statute Book of the Republic of Indonesia Number 4746);
- 4. Government Regulation Number 36 Year 2004 on Downstream Oil and Natural Gas Business Activities (Statute Book of the Republic of Indonesia Year 2004 Number 124, Supplement to Statute Book of the Republic of Indonesia Number 4436) as already amended by Government Regulation Number 30 Year 2009

(Statute Book of the Republic of Indonesia Year 2009 Number 59, Supplement to Statute Book of the Republic of Indonesia Number 4996);

5. Presidential Regulation Number 64 Year 2012 on Provision, Distribution and Pricing of Fuel Gas for Land Transportation (Statute Book of the Republic of Indonesia Year 2012 Number 137);

D E C I D E S :

To stipulate:

THE PRESIDENTIAL REGULATION ON THE AMENDMENT TO PRESIDENTIAL REGULATION NUMBER 64 YEAR 2012 REGARDING PROVISION, DISTRIBUTION AND PRICING OF FUEL GAS FOR LAND TRANSPORTATION.

Article I

Several provisions in Presidential Regulation Number 64 Year 2012 on Provision, Distribution and Pricing of Fuel Gas for Land Transportation shall be amended as follows:

1. The provision of Article 2 paragraph (3) is amended so that Article 2 reads as follows:

Article 2

- (1) The provision and distribution of fuel gas designated to motorized vehicle for land transportation shall be in the form of CNG.
- (2) The provision and distribution of fuel gas in the form of CNG as meant in paragraph (1) shall be executed gradually in specified regions in the territory of the Unitary State of the Republic of Indonesia.
- (3) The specified regions as meant in paragraph (2) shall be stipulated by the minister after securing consideration from the minister in charge of transportation affairs.

2. The provision of Article 4 is abolished.

3. The provision of Article 5 is abolished.

4. The provision of Article 6 is amended so that Article 6 reads as follows:

Article 6

- (1) The provision and distribution of fuel gas in the form of CNG shall be executed by state owned business

entity on the basis of assignment from the minister.

(2) Besides the assignment as meant in paragraph (1), the minister may appoint directly business entity to provide and distribute fuel gas in the form of CNG.

(3) The business entity as meant in paragraph (2) shall fulfill provisions:

- a. having provision and distribution facilities of fuel gas in the form of CNG; and
- b. guarantee for the availability of fuel gas in the form of CNG.

(4) The minister shall grant gas allocation to land transportation to the state-owned business entity as meant in paragraph (1) and the business entity as meant in paragraph (2).

(5) The state-owned business entity as meant in paragraph (1) and the business entity as meant in paragraph (2) shall be obliged to business license to trade fuel gas and fulfill the requirement for the assignment or direct appointment from the minister.

(6) Further provision on procedure for the direct appointment of business entity shall be governed by a ministerial regulation.

5. The provision of Article 7 is amended so that Article 7 reads as follows:

Article 7

(1) The realization of the provision and distribution of fuel gas in the form of CNG as meant in Article 6 shall cover the development of distribution facilities and means and/or the development and operation of SPBG.

(2) The development of SPBG as meant in paragraph (1) by state-owned business entity may be executed by using state budget of revenue and expenditure and/or budget of the state business entity securing the assignment.

(3) The development of SPBG as meant in paragraph (1) by business entity shall be done by using budget of the business entity securing the direct appointment.

(4) In the case of the development of SPBG using the state budget of revenue and expenditure as meant in paragraph (2), the development of SPBG may be executed on the basis of multi years in accordance with the provision of legislation.

6. A new article is supplemented between Article 7 and Article 8 to become Article 7A, which reads as follows:

Article 7A

In the framework of expediting the provision and distribution of fuel gas in the form of CNG, the minister, heads of non-ministerial government institution, governors and regents/mayors by virtue of their authority shall:

- a. expedite the licensing and procurement of land for the development of SPBG;
- b. drive up the use of fuel gas in the form of CNG for official vehicle and public transport; and
- c. socialize the use of fuel gas in the form of CNG.

7. The provision of Article 8 paragraph (2) is abolished so that Article 8 reads as follows:

Article 8

(1) In the framework of the provision and distribution of fuel gas, the minister shall stipulate retail price of CNG.

(2) Abolished.

8. The provision of Article 9 is amended so as to read as follows:

Article 9

(1) The government shall grant assistance in the form of converter kit in free of charge to official vehicle and public transport vehicle along with the installation thereof gradually in accordance with the phasing regions of the provision and distribution of fuel gas in the form of CNG as meant in Article 2.

(2) The granting of assistance in free of charge as meant in paragraph (1) shall be only executed once.

9. The provision of Article 10 is amended so as to read as follows:

Article 10

(1) The provision and installation of converter kit for official vehicle and public transport vehicle as meant in Article 9 shall be executed by state-owned business entity on the basis of assignment from the minister.

(2) The provision and installation of converter kit for official vehicle and public transport vehicle as meant in paragraph (1) may be executed by using the state budget of revenue and expenditure and/or budget of business entity securing the assignment.

(3) In the case of the provision and installation of converter kit for official vehicle and public transport vehicle using the state budget of revenue and expenditure as meant in paragraph (2), the provision and

installation of converter kit for official vehicle and public transport vehicle shall be executed on the basis of multi year in accordance with the provision of legislation.

7. The provision of Article 11 is abolished.

8. The provision of Article 17 is abolished so as to read as follows:

Article 17

The minister in charge of industrial affairs shall regulate technical requirement for component set of converter kit.

9. The provision of Article 20 is abolished.

Article II

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

For public cognizance, the presidential regulation shall be promulgated by placing it in Statute Book of the Republic of Indonesia.

Stipulated in Jakarta

On November 2, 2015

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

sgd.

JOKO WIDODO

Promulgated in Jakarta

On November 9, 2015

THE MINISTER OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA

sgd.

YASONNA H. LAOLY

STATUTE BOOK OF THE REPUBLIC OF INDONESIA

YEAR 2015 NUMBER 253

(R)