



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 : [PP No 4 Tahun 2023](#)
- Date : 20 January 2023
- Title : Pemungutan Pajak Barang dan Jasa Tertentu Atas Tenaga Listrik
(Indonesian)
- Title (English) : Collection of Certain Goods and Services Tax on Electricity

Summary

Government Regulation No. 4 of 2023 on the Collection of Certain Goods and Services Tax (PBJT) on Electricity is mandated on Regional Regulation that includes types, objects, subjects, and Taxpayer; tax imposition base; tax rates; tax payable and tax collection area; the use of PBJT proceeds for predetermined activities; tax collection provisions; as well as PBJT payment procedures for electricity paid by the government. There are exceptions in the electricity consumption seen as PBJT object, such as electricity consumption by state official institutions; embassy, consulate and other equal foreign representative; house of worship, orphanage, nursing home, and other social centre; as well as self-generated electricity in certain capacity that requires no permit from related technical institutions.

This regulation is in effect starting 20 January 2023.

2. Regulation : [Perpres No 11 Tahun 2023](#)
- Date : 26 January 2023
- Title : Urusan Pemerintahan Konkuren Tambahan di Bidang Energi dan Sumber Daya
(Indonesian) Mineral pada sub-Bidang Energi Baru Terbarukan
- Title (English) : Additional Concurrent Government Affairs in the Energy and Mineral Resources
Sector in the New and Renewable Energy Sub-Sector

Summary

In this Presidential Decree No. 11 of 2023 on Additional Concurrent Government Affairs in the Energy and Mineral Resources Sector in the New and Renewable Energy sub-sector, there are several points made clear in this regulation, namely, the scope of Additional Concurrent Government Affairs here is government affairs divided between Central Government and provincial government that is not included in the appendix of Law Number 23 of 2014 concerning Regional Government. There are two General Energy Plans, the National General Energy Plan (RUEN) and Regional/Provincial General Energy Plan (RUED-P), RUEN is under the authority of the central government, while RUED-P is under the authority of regional/provincial government. Implementation of additional concurrent government affairs in the energy and mineral resources in the sub-sector of renewable energy between the central government and regional government has differences in scope and objective.

This regulation is in effect starting 26 January 2023.

3. Regulation : [Keppres No 3 Tahun 2023](#)
- Date : 27 February 2023

Title (Indonesian) : Perubahan atas Keputusan Presiden Nomor 41 Tahun 2004 tentang Perizinan atau Perjanjian di Bidang Pertambangan yang Berada di Kawasan Hutan

Title (English) : Amendments to Presidential Decree Number 41 of 2004 on Permit or Agreements in the Field of Mining in Forest Areas

Summary

This regulation amends Appendix number 5 of Presidential Decree Number 41 of 2004 concerning Permits or Agreements in the Field of Mining in Forest Areas. Holders of permits or agreements in the field of mining in forest areas other than PT Aneka Tambang Tbk in this Presidential Decree are subsidiaries of PT Aneka Tambang Tbk in which 51% (fifty-one percent) or more of its share ownership is owned by PT Aneka Tambang Tbk. Mining activities by permit holders or agreements in the mining sector in forest areas are carried out based on environmental management principles in accordance with the provisions of laws and regulations in the environmental sector. The Appendix in this regulation include a list of amendments to the list of permits or agreements in the mining sector located in forest areas that have been signed before the enactment of Law No. 41 of 1999 concerning forestry that can continue their activities until the expiration of the permit or agreement.

This regulation is in effect starting 27 January 2023.

4. Regulation : [Permen ESDM No 2 Tahun 2023](#)
- Date : 3 March 2023
- Title (Indonesian) : Penyelenggaraan Penangkapan dan Penyimpanan Karbon, Serta Penangkapan, Pemanfaatan, dan Penyimpanan Karbon Pada Kegiatan Usaha Hulu Minyak dan Gas Bumi
- Title (English) : Implementation of Carbon Capture and Storage, as well as Carbon Capture, Utilization, and Storage in Upstream Oil and Gas Business Activities

Summary

The scope of Minister of Energy and Mineral Resources Regulation No. 2 of 2023 includes the implementation of Carbon Capture and Storage (CCS) and the implementation of Carbon Capture, Utilization and Storage (CCUS). The injection, utilization, and storage of Carbon Emissions in the Working Area in the implementation of CCS and CCUS are preceded by carbon emission capture and/or transportation activities. The stages of CCS and CCUS implementation consist of planning and implementation. Furthermore, a section of this regulation discusses Third Party Access, in the storage and injection process, an agreement cooperation agreement between Contractor and Party Third Party needs to consider several aspects, namely, technical, carbon emission reduction, economical, and the safety of CCS and CCUS implementation. Monitoring operational safety, measurement, reporting, and verification are also important. There is also the Economical aspect to be considered, such as financing, monetization of CCS or CCUS implementation, incentive, and insurance. Other aspects are asset, emergency response, coaching and supervision, administrative sanction, and other provisions.

This regulation is in effect starting 3 March 2023.

5. Regulation : [Permen ESDM No 1 Tahun 2023](#)
- Date : 13 January 2023
- Title (Indonesian) : Penyediaan Infrastruktur Pengisian Listrik Untuk Kendaraan Bermotor Listrik Berbasis Baterai

Title (English) : Provision of Electric Charging Infrastructure for Battery-based Electric Motor Vehicles

Summary

In this Minister of Energy and Mineral Resources Regulations No. 1 of 2023, there are mandates concerning the provision of electric charging infrastructure for battery-based electric motor vehicles, including technological definition and scope of the infrastructure itself; charging facility that includes private electrical installation and charging station for public transportation; battery exchange facility; and assignment of PT Perusahaan Listrik Negara. This regulation also discusses the electrical tariff for battery-based electric vehicle; electric safety of charging infrastructure for battery-based electric vehicles; guidance and supervision; reporting and evaluation; administrative sanction; as well as transitional provisions.

This regulation is in effect starting 13 January 2023.

6. Regulation : [50.K/MB.01/MEM.B/2023](#)
- Date : 16 March 2023
- Title (Indonesian) : Harga Mineral Logam Acuan dan Harga Batubara Acuan Untuk Bulan Maret Tahun 2023
- Title (English) : Reference Metal Mineral Prices and Reference Coal Prices for March 2023

Summary

The Decree of the Minister of Energy and Resources number 50.K/MB.01/MEM.B/2023 establishes the reference price of metal minerals and reference price of coal for February 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. The reference price for Coal (6.322 GAR) is 283,08 USD/ton, for Coal I (5.200 GAR) is 136,70 USD/ton and Coal II (4.200 GAR) is 102, 26 USD/ton.

This regulation is in effect starting 16 March 2023.

7. Regulation : [41.K/MB.01/MEM.B/2023](#)
- Date : 27 February 2023
- Title (Indonesian) : Pedoman Penetapan Harga Patokan Untuk Penjualan Komoditas Batubara
- Title (English) : Guidelines for Setting Benchmark Price for the Sale of Coal Commodities

Summary

The guidelines for setting benchmark price for the sale of coal commodities in this regulation contains two appendixes consisting of reference coal price formula in the first appendix and coal benchmark price formula in the second appendix. Appendix I of reference coal formula includes formulas for Reference Coal, Reference Coal I, and Reference Coal II, while Appendix II of coal benchmark price formula consists of Coal Benchmark Price Formula Calorie > 6.000; Coal Benchmark Price Formula Calorie > 5.200 – 6.000; Coal Benchmark Price Formula Calorie > 4.200 – 5.200; and Coal Benchmark Price Formula Calorie ≤ 4.200.

This regulation is in effect starting 27 January 2023.

8. Regulation : [27.K/MB.01/MEM.B/2023](#)
- Date : 10 February 2023
- Title : Harga Mineral Logam Acuan dan Harga Batubara Acuan Untuk Bulan Februari Tahun
(Indonesian) 2023
- Title (English) : Reference Metal Mineral Prices and Reference Coal Prices for February 2023

Summary

The Decree of the Minister of Energy and Resources number 27.K/MB.01/MEM.B/2023 establishes the reference price of metal minerals and reference price of coal for February 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. The reference price for coal is 277,05 USD/ton.

This regulation is in effect starting 10 February 2023.

9. Regulation : [47.K/MG.03/DJM/2023](#)
- Date : 2 February 2023
- Title : Harga Minyak Mentah Indonesia Bulan Januari 2023
(Indonesian)
- Title (English) : Indonesian Crude Oil Prices January 2023

Summary

This regulation sets the price of Indonesian crude oil in January 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 January 2023 is US\$ 78.54/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 2 February 2023.

10. Regulation : [23.K/MB.01/MEM.B/2023](#)
- Date : 27 January 2023
- Title : Kompensasi Data Informasi Wilayah Izin Usaha Pertambangan dan Wilayah Izin
(Indonesian) Usaha Petambangan Khusus
- Title (English) : Compensation for Information Data of Mining Business Permit and Special Mining
Business Permit

Summary

In this Decree of the Minister of the Energy and Mineral Resources, criteria of data and information in the calculation for compensation is based on Investigation and research data and information, and/or exploration consisting of metal or coal mineralization indication data in the soft copy and raw data format containing location and coordinate of mineralization and/or outcrop of coal availability, potential and/or reserve metal or coal mineralization data in the soft copy and raw data format, as well as exploration report and/or resources report and/or reserve, signed by a competent person as mandated in relevant regulations.

This regulation is in effect starting 27 January 2023.

11. Regulation : [14.K/TL.04/MEM.L/2023](#)
- Date : 13 January 2023
- Title (Indonesian) : Persetujuan Teknis Batas Atas Emisi Gas Rumah Kaca Pembangkit Listrik Tenaga Uap Batubara Yang Terhubung Ke Jaringan Tenaga Listrik PT Perusahaan Listrik Negara (Persero) Fase Kesatu
- Title (English) : Technical Approval of the Upper Limit of Greenhouse Gas Emissions for a Coal-fired Power Plant Connected to the Electricity Network of PT Perusahaan Listrik Negara (Persero) Phase One

Summary

This regulation determines the technical approval of the upper limit of greenhouse gas emissions for a coal-fired power plant connected to the electricity network of PT Perusahaan Listrik Negara (Persero) phase one (Coal Power Plant PTBAE) for 2023 to 2024. In order to achieve the national contribution target, the Minister may tighten the Coal Power Plant PTBAE based on the evaluation result on Carbon Economical Value of Power Plant for Coal Power Plant. The appendix of this regulation attaches a list of the technical approval of the upper limit of greenhouse gas emissions for a coal-fired power plant connected to the electricity network of PT Perusahaan Listrik Negara (Persero) phase one, including the type of Steam Power Plant, built-in capacity, and the limit per year 2023 to 2024.

This regulation is in effect starting 13 January 2023.

12. Regulation : [10.K/MG.01/MEM.S/2023](#)
- Date : 12 January 2023
- Title (Indonesian) : Rencana Induk Jaringan Transmisi dan Distribusi Gas Bumi Nasional Tahun 2022 - 2031
- Title (English) : The National Natural Gas Transmission and Distribution Network Master Plan of 2022-2031

Summary

The National Natural Gas Transmission and Distribution Network Master Plan of 2022-2031 as referred to in the FIRST Dictum is used as a reference for: Regulatory Agency for Downstream Oil and Gas to evaluate and determine the Transmission Lines and/or Distribution Network Area to be auctioned for its Special Rights; and Stakeholders in the construction and development of natural gas infrastructure, investment decisions, and development of the domestic natural gas market. The Director General of Oil and Gas provides guidance and supervision on the implementation of the 2022-2031 National Natural Gas Transmission and Distribution Network Master Plan. The Head of the Downstream Oil and Gas Regulatory Agency submits a report on the planning and implementation of the auction of Special Rights on

Transmission Lines and Gas Distribution Network Areas periodically (1 (one) time per year) and/or at any time as necessary to the Minister of Energy and Mineral Resources.

This regulation is in effect starting 12 January 2023.



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