

CONTROL ON THE USE OF OIL FUEL

(Regulation of the Minister of Energy and Mineral Resource R.I Number 12 Year 2012, dated May 29, 2012)

WITH THE BLESSING OF THE ONE AND ONLY GOD
MINISTER OF ENERGY AND MINERAL RESOURCE
REPUBLIC OF INDONESIA,

Considering:

- a. in the context of maintaining the volume of Oil Fuel as stipulated in the State Revenue and Expenditure Budget, it is necessary to endeavor control on the use of Oil Fuel;
- b. based on the consideration referred to in letter a, and to implement the provisions in Article 4, Article 5 and Article 8 of Presidential Regulation Number 15 Year 2012 concerning Retail Sales Price and Consumer of Particular Type of Oil Fuel and according to the result of coordinating meeting led by the Coordinating Minister of Economics, it is necessary to stipulate Regulation of Minister of Energy and Mineral Resource on Control on the Use of Oil Fuel;

In view of:

1. Law Number 22 Year 2001 (BN No. 6694 pgs. 13B-19B) concerning Natural Oil and Gas (Statute Book of the Republic of Indonesia Year 2001 Number 136, Supplement to Statute Book of the Republic of Indonesia Number 4152);
2. Law Number 30 Year 2009 concerning Electricity (Statute Book of the Republic of Indonesia Year 2009 Number 133, Supplement to Statute Book of the Republic of Indonesia Number 5052);
3. Government Regulation Number 67 Year 2002 concerning Governing Agency for Supply and Distribution of Oil Fuel and Transportation of Natural Oil and Gas Business Activity through Pipeline (Statute Book of the Republic of Indonesia Year 2002 Number 141, Supplement to Statute Book of the Republic of Indonesia Number 4253);
4. Government Regulation Number 36 Year 2004 concerning Natural Oil and Gas Downstream 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 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 15 Year 2012 concerning Retail Sales Price and Consumer of Particular Type of Oil Fuel (Statute Book of the Republic of Indonesia Year 2012 Number 41);
6. Presidential Decree Number 59/P Year 2011 dated October 18, 2011;
7. Regulation of Minister of Energy and Mineral Resource Number 18 Year 2010 concerning Organization and Work Procedure of the Ministry of Energy and Mineral Resource (State Gazette of the Republic of Indonesia Year 2010 Number 552);

D E C I D E S:

To stipulate:

REGULATION OF THE MINISTER OF ENERGY AND MINERAL RESOURCE ON CONTROL OF OIL FUEL USE.

Article 1

What is meant in this Regulation of Minister by:

1. Oil Fuel shall be oil fuel originating and/or processed out of Natural Oil.
2. Particular Type of Oil Fuel hereinafter referred to as Particular Type of BBM shall be oil fuel originating from and/or process out of Natural Oil mixed with Biofuel as Other Oil Fuel with particular type,

standard and quality (specification), particular volume, and particular consumer, and with subsidized price.

3. Office Use Vehicle shall be motor vehicle belonging to or controlled by the Government, Government of Province, Government of Regency/Municipality Agencies, State-owned Business Entity, and Regional-owned Business Entity.
4. Goods Vehicle shall be motor vehicle used to transport goods.
5. Minister shall be Minister exercising administration affairs in energy and mineral resource sector.
6. Governing Body shall be governing body as referred to in Law Number 22 Year 2001 concerning Natural Oil and Gas.

Article 2

Implementation of control on the use of Oil Fuel shall commence by means of:

- a. phasing limitation on the use of Particular Type of BBM for road transportation; and
- b. control of the use of Oil Fuel for provision of electric power.

Article 3

- (1) The phasing of limitation on the use of Particular Type of BBM for road transportation referred to in

Article 2 letter a shall be implemented on the use of RON 88 Gasoline (Gasoline) and Diesel Oil or other name of the same type.

- (2) The phasing of limitation on the use of Particular Type of referred to in paragraph (1) for motor vehicle covers phasing of the user of area, time and/or volume of Particular Type of BBM

Article 4

The phasing of limitation on the use of Particular Type of BBM for motor vehicle referred to in Article 3 is intended for Vehicle for office use.

Article 5

The phasing of limitation of area and type on the use of Particular BBM in the form of RON 88 Gasoline for Vehicle for office use referred to in Article 4 shall be made as follows:

- a. Jakarta Capital City DKI Provincial area, Bogor City, Bogor Municipality, Depok City, Tangerang City, Tangerang Regency, South Tangerang City, and Bekasi Regency effective as of June 1, 2012 shall be prohibited from using Particular Type of BBM in the form of RON 88 Gasoline;
- b. in provincial area, regency/municipality areas in Java and Bali other than the areas referred to in letter a effective as of August 1, 2012 is prohibited from using Particular Type of RON 88 Gasoline.

Article 6

- (1) Consumer of Particular Type of Oil Fuel in the form of Diesel Oil (Gas Oil) for Goods Transporting Vehicle used for plantation and mining activities effective as of September 1, 2012 shall be prohibited from using Particular Type of Oil Fuel in the form of Diesel Oil (Gas Oil).
- (2) Operations of plantation and mining activities referred to in paragraph (1) must provide storage place for Oil Fuel with capacity according to requirement.

Article 7

- (1) Governing Body shall exercise the governing, supervision and verification of smooth operation and timely distribution of Particular Type of BBM the Consumers.
- (2) In exercising the governing, supervision and verification referred to in paragraph (1), the Governing Body must determine allocated volume of Particular Type of BBM for the Consumers.

Article 8

Phasing of control on the use of Oil Fuel not governed yet in this Regulation of the Minister shall be governed in separate Regulation of the Minister.

Article 9

In the context of controlling the use of Oil Fuel for provision of electric power as referred to in Article 2 letter b, the Business Entity that is assigned by the Government to provide electric power must exercise control of the volume of Oil Fuel based on the assumption referred to in the State Revenue and Expenditure Budget.

Article 10

Any violation of the provisions in this Regulation of Minister is subject to penalty in accordance with the provisions in the statutory regulation.

Article 11

This Regulation of Minister comes to force on the date it is enacted.

For public cognizance, this Regulation of Minister shall be announced by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

Dated May 29, 2012

MINISTER OF ENERGY AND MINERAL RESOURCE
OF THE REPUBLIC OF INDONESIA,

sgd.

JERO WACIK

Enacted in Jakarta

Dated May 30, 2012

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

sgd.

AMIR SYAMSUDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA
YEAR 2012 NUMBER 555

(MA)