

GOVERNMENT REGULATIONS

THE AMENDMENT TO GOVERNMENT REGULATION NUMBER 35 YEAR 2002 REGARDING REFORESTATION FUNDS

(Government Regulation Number 58 Year 2007 dated November 5, 2007)

BY THE GRACE OF GOD ALMIGHTY
THE PRESIDENT OF REPUBLIC OF INDONESIA,

Considering:

- a. that due to difference in exchanges rates of reforestation funds in the rupiah according to selling rate of US Dollar effective at Bank Indonesia when the payment with transfer cost/correspondence is charged to payer as regulated in Article 7 sentence 5 of Regulation of the Government Number 35 Year 2002 regarding Reforestation Fund, the difference in exchange rates of rupiah and US Dollar comes;
- b. that in order to prevent underpayment arising from the difference in the exchange of US Dollar in the payment of Reforestation Funds, it is necessary to change payment liabilities to Reforestation Funds in US Dollar;
- c. that according to the considerations as referred to in letters a, and b, it is necessary to stipulate a government regulation on the Amendment to Government Regulation Number 35 Year 2002 regarding Reforestation Funds;

In view of:

1. Article 5 sentence 2 of Constitution of 1945 (*BN No. 7152 pages 14A-23A*);
2. Law Number 41 Year 1999 (*BN No. 6412 pages 1A-6A and so on*) regarding Forestry (Statute Book of

Republic of Indonesia Year 1999 Number 167, Supplement to Statute Book Number 3888) as already amended with Law Number 19 Year 2004 (*BN No. 7143 pages 26A-29A*) regarding Stipulation of Government Regulation in lieu of Law Number 1 Year 2004 (*BN No. 7036 pages 9A-10A*) regarding the Amendment to Law Number 41 Year 1999 regarding Forestry to Become A Law (Statute Book of Republic of Indonesia Year 2004 Number 86, Supplement to Statute Book Number 4412);

3. Government Regulation Number 35 Year 2002 (*BN No. 6838 pages 2A-10A*) regarding Reforestation Funds (Statute Book of Republic of Indonesia Year 2002 Number 67, Supplement to Statute Book Number 4207);

D E C I D E S :

To stipulate:

THE GOVERNMENT REGULATION REGARDING THE AMENDMENT TO GOVERNMENT REGULATION NUMBER 35 YEAR 2002 REGARDING REFORESTATION FUNDS.

Article I

Provision in Article 7 sentence 5 of Government Regulation Number 35 Year 2002 regarding Reforestation Funds (Statute Book of Republic of Indonesia Year 2002 Number 67, Supplement to Statute Book Number 4207) shall be amended so as to read as follows:

Article 7

5. The reforestation funds as referred to in sentence 2, sentence 3, and sentence 4 is paid in US Dollar with transfer/correspondence cost charged to the payer.

Article II

This Government Regulation shall take effect on the promulgated date.

For public cognizance, this government regulation shall be published by placing it in Statute Book of Republic of Indonesia.

Ratified in Jakarta

On November 5, 2007

THE PRESIDENT OF REPUBLIC OF INDONESIA,

sgd.

DR. H. SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta

On November 5, 2007

THE MINISTER OF JUSTICE AND HUMAN RIGHTS,

sgd.

ANDI MATTALATTA

STATUTE BOOK OF REPUBLIC OF INDONESIA YEAR 2007
NUMBER 131.

ELUCIDATION

ON

GOVERNMENT REGULATION NUMBER 58 YEAR 2007

REGARDING

THE AMENDMENT TO GOVERNMENT REGULATION NUMBER 35 YEAR 2002

REGARDING REFORESTATION FUNDS

I. GENERAL

Payment liabilities to reforestation funds in rupiah currency are settled in accordance with the exchange rate of US Dollar effective at Bank Indonesia when the payment is realized and in the implementation, underpayment comes as a result of difference between exchange rates of the two currencies shortly and quickly.

Due to the underpayment, the revenue from reforestation funds which should be receive by the State is not maximal and becomes a obstacle in the realization of forest rehabilitation as an effort to cope with the wider destroyed forest and rising critical land.

In order to overcome the underpayment and to provide legal certainty, it is necessary to determine the payment of liabilities to reforestation funds in US Dollar by amending Government Regulation Number 35 Year 2002 regarding Reforestation Funds.

II. ARTICLE TO ARTICLE

Article I

Article 7

Sentence 5

Sufficiently clear.

Article II

Sufficiently clear.

SUPPLEMENT TO STATUTE BOOK OF THE REPUBLIC OF
INDONESIA NUMBER 4776.

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