

Type: REGULATION (PER)
By: MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
Number: 03/M-DAG/PER/1/2015
Date: JANUARY 5, 2015 (JAKARTA)
Title: PROVISIONS ON EXPORT AND IMPORT OF PETROLEUM, NATURAL GAS, AND OTHER FUEL

BY THE GRACE OF THE ALMIGHTY GOD

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

Considering:

- a. whereas petroleum, natural gas, and other fuel constitute renewable and non-renewable strategic natural resources as well as vital commodity affecting the livelihood of the public and having an important role in the national economy and social welfare so that the national management thereof must be able to provide prosperity and welfare for Indonesian people;
- b. whereas in the context of supporting the availability of petroleum, natural gas, and other fuel, it is necessary to regulate the export and import of petroleum, natural gas, and other fuel;
- c. whereas based on the considerations as referred to in points a and b, as well as taking into account the development of policies in the field of petroleum, natural gas, and other fuel, it is necessary to re-regulate the policy on export and import of petroleum, natural gas, and other fuel;
- d. whereas based on the considerations as referred to in points a, b, and c, it is necessary to stipulate a Regulation of the Minister of Trade regarding the Provisions on Export and Import of Petroleum, Natural Gas, and Other Fuel;

In view of:

1. Law Number 7 Year 1994 regarding the Ratification of *Agreement Establishing The World Trade Organization* (State Gazette of the Republic of Indonesia Year 1994 Number 57, Supplement to the State Gazette of the Republic of Indonesia Number 3564);
2. Law Number 10 Year 1995 regarding Customs (State Gazette of the Republic of Indonesia Year 1995 Number 75, Supplement to the State Gazette of the Republic of Indonesia Number 3612) as amended by Law Number 17 Year 2006 (State Gazette of the Republic of Indonesia Year 2006 Number 93, Supplement to the State Gazette of the Republic of Indonesia Number 4661);
3. Law Number 5 Year 1999 regarding the Prohibition on Monopolistic Practices and Unfair Business Competition (State Gazette of the Republic of Indonesia

Year 1999 Number 33, Supplement to the State Gazette of the Republic of Indonesia Number 3806);

4. Law Number [22 Year 2001](#) regarding Oil and Natural Gas (State Gazette of the Republic of Indonesia Year 2001 Number 136, Supplement to the State Gazette of the Republic of Indonesia Number 4152);
5. Law Number 39 Year 2008 regarding State Ministries (State Gazette of the Republic of Indonesia Year 2008 Number 166, Supplement to the State Gazette of the Republic of Indonesia Number 4916);
6. Law Number 32 Year 2009 regarding Environmental Protection and Management (State Gazette of the Republic of Indonesia Year 2009 Number 140, Supplement to the State Gazette of the Republic of Indonesia Number 5059);
7. Law Number 7 Year 2014 regarding Trade (State Gazette of the Republic of Indonesia Year 2014 Number 45, Supplement to the State Gazette of the Republic of Indonesia Number 5512);
8. Government Regulation Number [35 Year 2004](#) regarding Upstream Oil and Natural Gas Business Activities (State Gazette of the Republic of Indonesia Year 2004 Number 123, Supplement to the State Gazette of the Republic of Indonesia Number 4435) as amended several times with the most recent amendment by Government Regulation Number 55 Year 2009 (State Gazette of the Republic of Indonesia Year 2009 Number 128, Supplement to the State Gazette of the Republic of Indonesia Number 5047);
9. Government Regulation Number [36 Year 2004](#) regarding Downstream Oil and Natural Gas Business Activities (State Gazette of the Republic of Indonesia Year 2004 Number 124, Supplement to the State Gazette of the Republic of Indonesia Number 4436) as amended by Government Regulation Number [30 Year 2009](#) (State Gazette of the Republic of Indonesia Year 2009 Number 59, Supplement to the State Gazette of the Republic of Indonesia Number 4996);
10. Presidential Regulation Number 47 year 2009 regarding the Establishment and Organization of State Ministries as amended several times with the most recent amendment by Presidential Regulation Number 13 Year 2014;
11. Presidential Regulation Number 24 Year 2010 regarding the Position, Duties, and Functions of State Ministries as well as the Organizational Structure, Duties and Functions of Echelon I of State Ministries as amended several times with the most recent amendment by Presidential Regulation Number 135 Year 2014;
12. Presidential Regulation Number 9 Year 2013 regarding the Implementation of Management of Upstream Oil and Natural Gas Business Activities;
13. Presidential Decree Number 121/P Year 2014 regarding the Establishment of Ministries and Appointment of Working Cabinet Ministers Year 2014-2019;
14. Regulation of the Minister of Energy and Mineral Resources Number [32 Year 2008](#) regarding the Provision, Utilization and Trade System of Biofuel as Other Fuel as amended several times with the most recent amendment by Regulation of the Minister of Energy and Mineral Resources Number 20 Year 2014;

15. Regulation of the Minister of Trade Number 54/M-DAG/PER/9/2009 regarding General Provisions in the Field of Import;
16. Regulation of the Minister of Trade Number 31/M-DAG/PER/7/2010 regarding the Organization and Work Procedures of the Ministry of Trade as amended by Regulation of the Minister of Trade Number 57/M-DAG/PER/8/2012;
17. Regulation of the Minister of Trade Number 13/M-DAG/PER/3/2012 regarding General Provisions in the Field of Export;
18. Regulation of the Minister of Trade Number 27/M-DAG/PER/5/2012 regarding the Provisions on Importer Identification Number (API) as amended several times with the most recent amendment by Regulation of the Minister of Trade Number 84/M-DAG/PER/12/2012;
19. Regulation of the Minister of Energy and Mineral Resources Number 9 Year 2013 regarding the Organization and Work Procedures of the Special Task Force for Upstream Oil and Natural Gas Business Activities;
20. Regulation of the Minister of Trade Number 46/M-DAG/PER/8/2014 regarding the General Provisions on Verification or Technical Tracking in the Field of Trade;

HAS DECIDED:

To stipulate: REGULATION OF THE MINISTER OF TRADE REGARDING THE PROVISIONS ON EXPORT AND IMPORT OF PETROLEUM, NATURAL GAS AND OTHER FUEL.

Article 1

Referred to herein as:

1. Export shall be the activity of releasing goods from the customs area.
2. Import shall be the activity of bringing goods into the customs area.
3. Petroleum shall be the outcome of natural process in the form of hydrocarbon in which in the atmospheric pressure and temperature is in the form of liquid or solid phase, including asphalt, mineral wax or ozocerite, and bitumen obtained from mining processes, but excluding coal or other hydrocarbon deposits in solid form obtained from activities not related to Petroleum and Natural Gas business activities.
4. Natural Gas shall be the outcome of natural process in the form of hydrocarbon which in the atmospheric pressure and temperature is in the form of gaseous phase obtained from the mining processes of Petroleum and Natural Gas.
5. Other Fuel shall be fuel in liquid or gas form originating from other than Petroleum, Natural Gas and processed products.
6. Upstream Oil and Natural Gas Business Activities shall be business activities which focus or rely on Petroleum and Natural Gas exploration and exploitation business activities.

7. Downstream Oil and Natural Gas Business Activities shall be business activities which focus or rely on processing, transportation, storage, and/or trade business activities.
8. Business Entity, hereinafter abbreviated to BU, shall be an incorporated company engaging in permanent and continuous type of business and established in accordance with applicable laws and regulations as well as operating and domiciled in the territory of the Unitary State of the Republic of Indonesia.
9. Permanent Business Establishment, hereinafter abbreviated to BUT shall be business entity established and incorporated outside the territory of the Unitary State of the Republic of Indonesia conducting activities within the territory of the Unitary State of the Republic of Indonesia and obligated to comply with laws and regulations applicable in the Republic of Indonesia.
10. Direct User of Petroleum, Natural Gas, and Other Fuel, hereinafter referred to as Direct User, shall be business entity either incorporated or unincorporated importing Petroleum, Natural Gas and/or Other Fuel for self-use and not for trade.
11. Registered Exporter of Petroleum and Natural Gas, hereinafter referred to as ET of Petroleum and Natural Gas, shall be a company exporting Petroleum and Natural Gas.
12. Registered Exporter of Other Fuel, hereinafter referred to as ET of Other Fuel, shall be a company exporting Other Fuel.
13. Registered Importer of Petroleum and Natural Gas, hereinafter referred to as IT of Petroleum and Natural Gas, shall be a company importing Petroleum and Natural Gas.
14. Registered Importer of Other Fuel, hereinafter referred to as IT of Other Fuel, shall be a company importing Other Fuel.
15. Recommendation shall be statement issued by the authorized official of the relevant technical agency/unit and constituting a requirement for considering the issuance of approval to the export or import of Petroleum, Natural Gas, and Other Fuel.
16. Export Approval of Petroleum and Natural Gas, hereinafter referred to as PE of Petroleum and Natural Gas, shall be a permit to export Petroleum and Natural Gas.
17. Export Approval of Other Fuel, hereinafter referred to as PE of Other Fuel shall be a permit to export Other Fuel.
18. Import Approval of Petroleum and Natural Gas, hereinafter referred to as PI of Petroleum and Natural Gas, shall be a permit to import Petroleum and Natural Gas.
19. Import Approval of Other Fuel, hereinafter referred to as PI of Other Fuel, shall be a permit to import Other Fuel.
20. Minister shall be a minister organizing governmental affairs in the field of trade.

21. Minister of ESDM shall be a minister organizing governmental affairs in the field of energy and mineral resources.
22. Director General shall be the Director General of Foreign Trade of the Ministry of Trade.
23. Director General of Oil and Natural Gas shall be the Director General of Oil and Natural Gas of the Ministry of ESDM.
24. Director General of New, Renewable Energy and Energy Conservation shall be the Director General of New, Renewable Energy and Energy Conservation of the Ministry of ESDM.

Article 2

Petroleum, Natural Gas, and Other Fuel the export and import of which are limited shall be as set out in Attachment I constituting an inseparable part of this Ministerial Regulation.

Article 3

- (1) Petroleum, Natural Gas, and Other Fuel as referred to in Article 2 may only be exported and imported based on the consideration of the conditions of domestic supply and need.
- (2) Based on the consideration as referred to in paragraph (1), the Minister of ESDM in this case the Director General of Oil and Natural Gas and the Director General of New, Renewable Energy and Energy Conservation shall issue Recommendation for the type and volume of Petroleum, Natural Gas, and Other Fuel which may be exported and imported.

Article 4

- (1) Petroleum and Natural Gas as referred to in Article 2 may only be exported by:
 - a. BU conducting Upstream Oil and Natural Gas Business Activities;
 - b. BUT conducting Upstream Oil and Natural Gas Business Activities; and
 - c. BU conducting Downstream Oil and Natural Gas Business Activities.
- (2) BU and BUT as referred to in paragraph (1) sub-paragraphs a, b, and c must obtain acknowledgement as ET of Petroleum and Natural Gas from the Minister.
- (3) Minister shall delegate the authority to issue acknowledgement as ET of Petroleum and Natural Gas as referred to in paragraph (2) to the Director General.

Article 5

- (1) Other Fuel as referred to in Article 2 may only be exported by BU conducting the business activities of Other Fuel.
- (2) BU as referred to in paragraph (1) must obtain acknowledgement as ET of Other Fuel from the Minister.

- (3) Minister shall delegate the authority to issue acknowledgement as ET of Other Fuel as referred to in paragraph (2) to the Director General.

Article 6

- (1) In order to obtain acknowledgement as ET of Petroleum and Natural Gas as referred to in Article 4 and ET of Other Fuel as referred to in Article 5, BU and BUT must submit a written application to the Minister in this case the Director General by enclosing:
- a. copy of business permits;
 - b. copy of Taxpayer Registration Number (NPWP); and
 - c. copy of Company Registration Certificate (TDP), for BU.
- (2) Based on the written application as referred to in paragraph (1), the Director General in the name of the Minister shall issue acknowledgement as ET of Petroleum and Natural Gas, and acknowledgement as ET of Other Fuel by no later than 5 (five) business days as from the receipt of complete and correct application.

Article 7

Acknowledgement as ET of Petroleum and Natural Gas, and acknowledgement as ET of Other Fuel as referred to in Article 6 paragraph (2) shall be valid for 3 (three) years as from the date of issuance.

Article 8

- (1) ET of Petroleum and Natural Gas which will export Petroleum and Natural Gas shall be obliged to first obtain PE of Petroleum and Natural Gas from the Minister.
- (2) ET of Other Fuel which will export Other Fuel shall be obliged to first obtain PE of Other Fuel from the Minister.
- (3) The Minister shall delegate the authority to issue PE of Petroleum and Natural Gas as referred to in paragraph (1) and PE of Other Fuel as referred to in paragraph (2) to the Director General.

Article 9

- (1) In order to obtain PE of Petroleum and Natural Gas as referred to in Article 8 paragraph (1) and PE of Other Fuel as referred to in Article 8 paragraph (2), ET of Petroleum and Natural Gas, and ET of Other Fuel must submit a written application to the Minister in this case the Director General by enclosing:
- a. copy of business permits;
 - b. copy of Taxpayer Registration Number (NPWP);
 - c. copy of Company Registration Certificate (TDP), for ET of Petroleum and Natural Gas, and ET of Other Fuel constituting BU;
 - d. copy of Customs Identity Number (NIK);

- e. copy of acknowledgement as ET of Petroleum and Natural Gas or ET of Other Fuel;
 - f. report on the realization of export of Petroleum and Natural Gas or Other Fuel, for BU and BUT which have obtained the approval to the previous export; and
 - g. Recommendation of export of Petroleum and Natural Gas from the Director General of Oil and Natural Gas in the name of the Minister of ESDM, for ET of Petroleum and Natural Gas; or
 - h. Recommendation of export of Other Fuel from the Director General of New, Renewable Energy and Energy Conservation in the name of the Minister of ESDM, for ET of Other Fuel.
- (2) Based on the written application as referred to in paragraph (1), the Director General in the name of the Minister shall issue PE of Petroleum and Natural Gas, and PE of Other Fuel by no later than 5 (five) business days as from the receipt of complete and correct application.

Article 10

PE of Petroleum and Natural Gas and PE of Other Fuel as referred to in Article 9 paragraph (2) shall be valid in accordance with the validity period of Recommendation from the Director General of Oil and Natural Gas or the Director General of New, Renewable Energy and Energy Conservation.

Article 11

- (1) Petroleum and Natural Gas as referred to in Article 2 may only be imported by:
- a. BU conducting Downstream Petroleum and Natural Gas Business Activities; and
 - b. Direct User.
- (2) BU and Direct User as referred to in paragraph (1) must obtain designation as IT of Petroleum and Natural Gas from the Minister.
- (3) The Minister shall delegate the authority to issue designation as IT of Petroleum and Natural Gas as referred to in paragraph (2) to the Director General.

Article 12

- (1) Other Fuel as referred to in Article 2 may only be imported by:
- a. BU conducting the business activities of Other Fuel; and
 - b. Direct User.
- (2) BU and Direct User as referred to in paragraph (1) must obtain designation as IT of Other Fuel from the Minister.
- (3) The Minister shall delegate the authority to issue designation as IT of Other Fuel as referred to in paragraph (2) to the Director General.

Article 13

- (1) In order to obtain designation as IT of Petroleum and Natural Gas as referred to in Article 11 and designation as IT of Other Fuel as referred to in Article 12, BU and Direct User must submit a written application to the Minister in this case the Director General by enclosing:
 - a. copy of business permits;
 - b. copy of Taxpayer Registration Number (NPWP);
 - c. copy of Company Registration Certificate (TDP); and
 - d. copy of Importer Identification Number (API).
- (2) Based on the written application as referred to in paragraph (1), the Director General in the name of the Minister shall issue designation as IT of Petroleum and Natural Gas, and designation as IT of Other Fuel by no later than 5 (five) business days as from the receipt of complete and correct application.

Article 14

IT of Petroleum and Natural Gas and IT of Other Fuel as referred to in Article 13 paragraph (2) shall be valid for 3 (three) years as from the date of issuance.

Article 15

- (1) IT of Petroleum and Natural Gas which will import Petroleum and Natural Gas shall be obliged to first obtain PI of Petroleum and Natural Gas from the Minister.
- (2) IT of Other Fuel which will import Other Fuel shall be obliged to first obtain PI of Other Fuel from the Minister.
- (3) The Minister shall delegate the authority to issue PI of Petroleum and Natural Gas as referred to in paragraph (1) and PI of Other Fuel as referred to in paragraph (2) to the Director General.

Article 16

- (1) In order to obtain PI of Petroleum and Natural Gas as referred to in Article 15 paragraph (1) and PI of Other Fuel as referred to in Article 15 paragraph (2), IT of Petroleum and Natural Gas, and IT of Other Fuel must submit a written application to the Minister in this case the Director General by enclosing:
 - a. copy of business permits;
 - b. copy of Taxpayer Registration Number (NPWP);
 - c. copy of Company Registration Certificate (TDP);
 - d. copy of Importer Identification Number (API);
 - e. copy of Customs Identity Number (NIK);
 - f. copy of designation as IT of Petroleum and Natural Gas or IT of Other Fuel;

- g. report on the realization of import of Petroleum and Natural Gas or Other Fuel, for BU and Direct User which have obtained the approval to the previous import; and
 - h. Recommendation for the import of Petroleum and Natural Gas from the Director General of Oil and Natural Gas in the name of the Minister of ESDM, for IT of Petroleum and Natural Gas; or
 - i. Recommendation for the import of Other Fuel from the Director General of New, Renewable Energy and Energy Conservation in the name of the Minister of ESDM, for IT of Other Fuel.
- (2) Based on the written application as referred to in paragraph (1), the Director General in the name of the Minister shall issue PI of Petroleum and Natural Gas, and PI of Other Fuel by no later than 5 (five) business days as from the receipt of complete and correct application.

Article 17

PI of Petroleum and Natural Gas and PI of Other Fuel as referred to in Article 16 paragraph (2) shall be valid in accordance with the validity period of Recommendation from the Director General of Oil and Natural Gas or the Director General of New, Renewable Energy and Energy Conservation.

Article 18

- (1) Petroleum, Natural Gas, and Other Fuel constituting state portion and/or state property may only be exported by export organizer which obtains appointment from the competent agency/institution in the field of Petroleum, Natural Gas, and Other Fuel.
- (2) Export organizer as referred to in paragraph (1) which will export Petroleum, Natural Gas, and Other Fuel constituting state portion and/or state property shall be obliged to first obtain PE of Petroleum and Natural Gas and PE of Other Fuel from the Minister.
- (3) The Minister shall delegate the authority to issue PE of Petroleum and Natural Gas and PE of Other Fuel as referred to in paragraph (2) to the Director General.

Article 19

- (1) In order to obtain PE of Petroleum and Natural Gas, and PE of Other Fuel as referred to in Article 18, export organizer must submit a written application to the Minister in this case the Director General by enclosing:
 - a. copy of business permits;
 - b. copy of Taxpayer Registration Number (NPWP);
 - c. copy of Company Registration Certificate (TDP);
 - d. copy of acknowledgement as ET of Petroleum and Natural Gas or ET of Other Fuel; and

- e. Recommendation for the export of Petroleum and Natural Gas from the Director General of Oil and Natural Gas in the name of the Minister of ESDM; or
 - f. Recommendation for the export of Other Fuel from the Director General of New, Renewable Energy and Energy Conservation in the name of the Minister of ESDM.
- (2) Based on the written application as referred to in paragraph (1), the Director General in the name of the Minister shall issue PE of Petroleum and Natural Gas, and PE of Other Fuel by no later than 5 (five) business days as from the receipt of complete and correct application.

Article 20

PE of Petroleum and Natural Gas and PE of Other Fuel as referred to in Article 19 paragraph (2) shall be valid in accordance with the validity period of Recommendation from the Director General of Oil and Natural Gas or the Director General of New, Renewable Energy and Energy Conservation.

Article 21

- (1) Petroleum, Natural Gas and Other Fuel which will be exported and imported must undergo verification or technical tracking at the port of loading.
- (2) Verification or technical tracking as referred to in paragraph (1) shall be conducted by Surveyor determined by the Minister.

Article 22

In order to be determined as the organizer of verification or technical tracking as referred to in Article 21 paragraph (2), the Surveyor must comply with the following requirements:

- a. having Survey Services Business Permit (SIUJS);
- b. experienced as Surveyor for not less than 5 (five) years;
- c. having branch or representative throughout Indonesia for verification or technical tracking of export or affiliates overseas for verification or technical tracking of import; and
- d. having good *track record* in the field of management of verification or technical tracking of export and import.

Article 23

- (1) The verification or technical tracking of export and import of Petroleum, Natural Gas, and Other Fuel as referred to in Article 21 paragraph (1), shall contain the minimum data or information on:
- a. name and address of exporter;
 - b. name and address of importer;
 - c. type;
 - d. volume;

- e. Tariff Item/HS;
 - f. port of loading;
 - g. destination port; and
 - h. country of origin, for verification or technical tracking of import.
- (2) The result of verification or technical tracking as referred to in paragraph (1) shall be set out in the form of Surveyor Report (LS) to be used as customs complementary document in settling customs affairs in the field of export and import.
- (3) The costs incurred for the implementation of verification or technical tracking of export and import as referred to in paragraph (1), shall be charged to the state budget.
- (4) In the event that the costs required for the implementation of verification or technical tracking as referred to in paragraph (3) are not yet available, the costs shall be charged to the exporter and importer based on the principle of benefit.

Article 24

The activity of verification or technical tracking of export and import by Surveyor shall not prejudice the authority of the Directorate General of Customs and Excise, the Ministry of Finance to conduct customs examination.

Article 25

- (1) ET of Petroleum and Natural Gas, ET of Other Fuel, export organizer of Petroleum and Natural Gas, and export organizer of Other Fuel which have obtained PE of Petroleum and Natural Gas and PE of Other Fuel, as well as IT of Petroleum and Natural Gas, and IT of Other Fuel which have obtained PI of Petroleum and Natural Gas and PI of Other Fuel shall be obliged to submit report on the implementation of export or import in writing, either realized or unrealized, to:
- a. The Minister in this case the Director General; and
 - b. The Minister of ESDM in this case the Director General of Oil and Natural Gas or Director General of New, Renewable Energy and Energy Conservation.
- (2) The report on the implementation of export of Petroleum, Natural Gas, and Other Fuel, and report on the implementation of import of Petroleum, Natural Gas, and Other Fuel as referred to in paragraph (1) shall be submitted annually by no later than the 15th (fifteenth) day of the following month online through <http://inatrade.kemendag.go.id>.
- (3) The format of report on the implementation of export of Petroleum, Natural Gas, and Other Fuel, and report on the implementation of import of Petroleum, Natural Gas, and Other Fuel as referred to in paragraph (1) shall be as included in Attachment II constituting an inseparable part of this Ministerial Regulation.

Article 26

Surveyor as referred to in Article 21 paragraph (2) shall be obliged to submit a written report on the implementation of verification or technical tracking of export and import of

Petroleum, Natural Gas and Other Fuel to the Director General annually by no later than the 15th (fifteenth) day of the following month.

Article 27

- (1) ET of Petroleum and Natural Gas, ET of Other Fuel, IT of Petroleum and Natural Gas, IT of Other Fuel, export organizer of Petroleum and Natural Gas, and export organizer of Other Fuel which do not comply with the obligation to submit report on the implementation of export or import as referred to in Article 25 shall be subject to sanction in the form of written warning by the Director General in the name of the Minister.
- (2) In the event that ET of Petroleum and Natural Gas, ET of Other Fuel, IT of Petroleum and Natural Gas, IT of Other Fuel, export organizer of Petroleum and Natural Gas, and export organizer of Other Fuel disregard the written warning as referred to in paragraph (1) for 2 (two) times, the Director General in the name of the Minister shall postpone the issuance of PE of Petroleum and Natural Gas, PE of Other Fuel, PI of Petroleum and Natural Gas, and PI of Other Fuel by no later than 2 (two) years.

Article 28

ET of Petroleum and Natural Gas, ET of Other Fuel, IT of Petroleum and Natural Gas, IT of Other Fuel, PE of Petroleum and Natural Gas, PE of Other Fuel, PI of Petroleum and Natural Gas, and PI of Other Fuel shall be revoked in the event that the company:

- a. does not submit report on the implementation of export or import of Petroleum, Natural Gas, and Other Fuel following the period for postponement of issuance of PE of Petroleum and Natural Gas, PE of Other Fuel, PI of Petroleum and Natural Gas, and PI of Other Fuel as referred to in Article 27 paragraph (2);
- b. is proven to submit incorrect data and/or information as the requirement for obtaining ET of Petroleum and Natural Gas, ET of Other Fuel, IT of Petroleum and Natural Gas, IT of Other Fuel, PE of Petroleum and Natural Gas, PE of Other Fuel, PI of Petroleum and Natural Gas, and/or PI of Other Fuel;
- c. exports or imports Petroleum, Natural Gas, and Other Fuel the type of which is not in accordance with and/or the volume of which exceeds the one included in the document of PE of Petroleum and Natural Gas, PE of Other Fuel, PI of Petroleum and Natural Gas, and/or PI of Other Fuel;
- d. is proven to change data and/or information included in the document of ET of Petroleum and Natural Gas, ET of Other Fuel, IT of Petroleum and Natural Gas, IT of Other Fuel, PE of Petroleum and Natural Gas, PE of Other Fuel, PI of Petroleum and Natural Gas, and/or PI of Other Fuel; and/or
- e. is declared guilty based on a court decision having obtained permanent legal force on a criminal act related to the abuse of ET of Petroleum and Natural Gas, ET of Other Fuel, IT of Petroleum and Natural Gas, IT of Other Fuel, PE of Petroleum and Natural Gas, PE of Other Fuel, PI of Petroleum and Natural Gas, and/or PI of Other Fuel.

Article 29

The designation as Surveyor implementing verification or technical tracking of export and import of Petroleum, Natural Gas and Other Fuel as referred to in Article 21 paragraph (2) shall be revoked in the event that the Surveyor:

- a. does not comply with the provisions on written reporting obligation as referred to in Article 26 for 2 (two) times; and/or
- b. commits a violation in the conduct of activity of verification or technical tracking of export and/or import of Petroleum, Natural Gas and Other Fuel.

Article 30

The revocation of designation as Surveyor as referred to in Article 29 shall be stipulated by the Minister.

Article 31

- (1) The company exporting and/or importing Petroleum, Natural Gas, and Other Fuel not in accordance with the provisions of this Ministerial Regulation shall be subject to sanctions in accordance with the provisions on customs and/or other provisions based on laws and regulations.
- (2) Petroleum, Natural Gas, and Other Fuel imported not in accordance with the provisions of this Ministerial Regulation shall be subject to a sanction in the form of re-export.
- (3) The costs of re-export as referred to in paragraph (2) shall be borne by the importer.

Article 32

For the purpose of supervision over the implementation of this Ministerial Regulation, the Director General along with the Director General of Oil and Natural Gas, and the Director General of New, Renewable Energy and Energy Conservation may establish an Evaluation Team for the Implementation of Export and Import of Petroleum, Natural Gas and Other Fuel.

Article 33

- (1) The provisions in this Ministerial Regulation shall not be applicable to export and import of Petroleum, Natural Gas, and Other Fuel constituting:
 - a. sample item; and
 - b. item for the purpose of research.
- (2) The export and import of Petroleum, Natural Gas, and Other Fuel constituting item as referred to in paragraph (1) still require technical considerations from the Ministry of ESDM and approval from the Director of Export of Industrial and Mining Products or the Director of Import of the Directorate General of Foreign Trade of the Ministry of Trade.

Article 34

Exception of the provisions regulated in this Ministerial Regulation shall be stipulated by the Minister by taking into account the suggestion from the relevant agencies.

Article 35

Technical guidelines for the implementation of this Ministerial Regulation may be stipulated by the Director General.

Article 36

The implementation of export and import of Petroleum, Natural Gas, and Other Fuel other than pursuant to the provisions of this Ministerial Regulation shall also be pursuant to the provisions of other laws and regulations regarding Petroleum, Natural Gas, and Other Fuel.

Article 37

Export Approval and Import Approval issued based on Regulation of the Minister of Trade Number 42/M-DAG/PER/9/2009 regarding the Provisions on Export and Import of Oil and Natural Gas shall be declared remaining valid up to the expiry of validity period of Export Approval and Import Approval.

Article 38

At the time this Ministerial Regulation comes into effect, Regulation of the Minister of Trade Number 42/M-DAG/PER/9/2009 regarding the Provisions on Export and Import of Oil and Natural Gas shall be revoked and declared null and void.

Article 39

This Ministerial Regulation shall come into effect 90 (ninety) days as from the date of promulgation.

For public cognizance, hereby ordering the promulgation of this Ministerial Regulation by publishing it in the Official Gazette of the Republic of Indonesia.

Stipulated in Jakarta
on January 5, 2015
MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,
sgd
RACHMAT GOBEL

Issued as a true copy
Secretariat General
Ministry of Trade
Acting Head of the Legal Affairs Bureau,
sgd and stamped
AHMAD FIRDAUS SUKMONO

Notes

ATTACHMENT I TO
REGULATION OF THE MINISTER OF TRADE REPUBLIC OF INDONESIA
NUMBER 03/M-DAG/PER/1/2015
REGARDING

THE PROVISIONS ON EXPORT AND IMPORT OF PETROLEUM, NATURAL GAS,
AND OTHER FUEL

LIST OF PETROLEUM, NATURAL GAS, AND OTHER FUEL THE EXPORT AND
IMPORT OF WHICH ARE LIMITED

NO.	NAME OF ITEM	TARIFF ITEM/HS	REMARKS
A.	PETROLEUM		
1.	<i>Crude Oil</i>	2709.00.10.00	
2.	Condensate	2709.00.20.00	only for export
3.	Fuel Oil (BBM):		
	a. Gas Oil and HOMC RON 97 and above	2710.12.11.00 2710.12.12.00	
	b. Gas Oil and HOMC above RON 90 but below RON 97	2710.12.13.00 2710.12.14.00	
	c. Gas Oil and HOMC below RON 90	2710.12.15.00 2710.12.16.00	
	d. <i>Aviation Gasoline (Avgas)</i>	2710.12.20.00	
	e. <i>Aviation Turbine (Avtur/Jet A1)</i>	2710.19.81.00 2710.19.82.00	
	f. Diesel Oil/HSD/Gasoil/ <i>Automotive Diesel Oil</i>	2710.19.71.00	
	g. Other Diesel Oil	2710.19.72.00	
	h. Fuel Oil	2710.19.79.00	
	i. Kerosene	2710.19.83.00	
4.	Processed products		
	a. Naphtha	ex. 2710.12.70.00	only for export
	b. <i>Carbon Black Feedstock</i>	2710.19.30.00	
	c. <i>Residue:</i>		
	a. <i>Low Sulfur Waxy Residues</i>	ex. 2713.90.00.00	
	b. <i>Vacuum Residue</i>	ex. 2713.90.00.00	
	c. <i>Decant Oil</i>	ex. 2713.90.00.00	
	d. <i>Recovered Oil</i>	ex. 2713.90.00.00	
B.	NATURAL GAS		
5.	<i>Natural Gas and Compressed Natural Gas (CNG)</i>	2711.21.10.00 2711.21.90.00	
6.	<i>Liquefied Natural Gas (LNG)</i>	2711.11.00.00	
7.	<i>Liquefied Petroleum Gas (LPG)</i>		
	a. Propane	2711.12.00.00	
	b. Butane	2711.13.00.00	
	c. Propane and Butane Mixture	ex. 2711.19.00.00	
8.	Processed products		
	a. <i>Dimethyl Ether (DME)</i>	ex. 2909.19.00.00	
	b. Downstream condensate	2709.00.20.00	Only for export
C.	OTHER FUEL		
9.	Biodiesel/FAME (<i>Fatty Add Methyl Esther</i>)	3826.00.10.00 3826.00.90.10	
10.	Ethanol	2207.10.00.00 2207.20.11.00 2207.20.19.00 2207.20.90.00	

MINISTER OF TRADE REPUBLIC OF INDONESIA,
Sgd
RACHMAT GOBEL

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Acting Head of the Legal Affairs Bureau
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Source: LOOSE LEAF OF REGULATION OF THE MINISTER OF TRADE YEAR
2015