

Type: REGULATION (PER)

By: THE MINISTER OF FINANCE OF THE REPUBLIC OF INDONESIA (MOF)

Number: 70/PMK.03/2015

Date: MARCH 31, 2015 (JAKARTA)

Title: AMENDMENT TO REGULATION OF THE MINISTER OF FINANCE NUMBER 79/PMK.02/2012 REGARDING PROCEDURE FOR DEPOSIT AND REPORTING OF STATE REVENUES FROM NATURAL OIL AND/OR GAS UPSTREAM BUSINESS ACTIVITY AND CALCULATION OF INCOME TAX FOR THE PURPOSE OF PAYMENT OF INCOME TAX ON NATURAL OIL AND/OR GAS IN THE FORM OF VOLUME OF NATURAL OIL AND/OR GAS

BY THE GRACE OF THE ALMIGHTY GOD

THE MINISTER OF FINANCE OF THE REPUBLIC OF INDONESIA,

Considering:

- a. whereas based on Regulation of the Minister of Finance Number 79/PMK.02/2012, the provisions on procedure for deposit and reporting of state revenues from natural oil and/or gas upstream business activity and calculation of Income Tax for the purpose of payment of Income Tax on natural oil and/or gas in the form of volume of natural oil and/or gas have been stipulated;
- b. whereas in connection with the transfer of duties, functions, and organization from Oil & Gas Upstream Executive Agency to Special Task Force Unit of Oil and Gas Upstream Business Activity Executor (SKK Migas) as stipulated in Presidential Regulation Number 9 Year 2013 regarding Organizing of Management of Oil and Gas Upstream Business Activity, as well as in the context of giving legal certainty, it is necessary to make improvement of the provisions on procedure for deposit and reporting of state revenues from natural oil and/or gas upstream business activity and calculation of Income Tax for the purpose of payment of Income Tax on natural oil and/or gas in the form of volume of natural oil and/or gas as stipulated in Regulation of the Minister of Finance Number 79/PMK.02/2012;
- c. whereas based on the considerations as intended in points a and b, it is necessary to stipulate a Regulation of the Minister of Finance regarding Amendment to Regulation of the Minister of Finance Number 79/PMK.02/2012 regarding Procedure for Deposit and Reporting of State Revenues from Natural Oil and/or Gas Upstream Business Activity and Calculation of Income Tax for the Purpose of Payment of Income Tax on Natural Oil and/or Gas in the Form of Volume of Natural Oil and/or Gas;

In View of: Regulation of the Minister of Finance Number [79/PMK.02/2012](#) regarding Procedure for Deposit and Reporting of State Revenues from Natural Oil and/or Gas Upstream Business Activity and Calculation of Income Tax for the Purpose of Payment of Income Tax on Natural Oil and/or Gas in the Form of Volume of Natural Oil and/or Gas;

HAS DECIDED:

To Stipulate: REGULATION OF THE MINISTER OF FINANCE REGARDING AMENDMENT TO REGULATION OF THE MINISTER OF FINANCE NUMBER 79/PMK.02/2012 REGARDING PROCEDURE FOR DEPOSIT AND REPORTING OF STATE REVENUES FROM NATURAL OIL AND/OR GAS UPSTREAM BUSINESS ACTIVITY AND CALCULATION OF INCOME TAX FOR THE PURPOSE OF PAYMENT OF INCOME TAX ON NATURAL OIL AND/OR GAS IN THE FORM OF VOLUME OF NATURAL OIL AND/OR GAS.

Article I

Several provisions in Regulation of the Minister of Finance Number 79/PMK.02/2012 regarding Procedure for Deposit and Reporting of State Revenues from Natural Oil and/or Gas Upstream Business Activity and Calculation of Income Tax for the Purpose of Payment of Income Tax on Natural Oil and/or Gas In the Form of Volume of Natural Oil and/or Gas, shall be amended as follows:

1. The provisions of Article 1 shall be amended, so as to read as follows:

Article 1

In this Regulation of the Minister, referred to as:

1. Special Task Force Unit of Oil and Gas Upstream Business Activity Executor, hereinafter referred to as SKK Migas, shall be task force unit which organizes the management of oil and gas upstream business activity which is established in accordance with Presidential Regulation Number 9 Year 2013 regarding Organizing of Management of Oil and Gas Upstream Business Activity.
2. Joint Operation Contract shall be production sharing contract or any other forms of cooperation contract in exploration and exploitation activities which bring more profits to state and the result of which is for the maximum welfare of the people.
3. Lifting shall be an amount of natural oil and/or gas available to be sold or distributed in custody transfer point.
4. Working Territory shall be certain area inside Indonesian mining jurisdiction for exploration and exploitation implementation.
5. Contractor shall be business entity or permanent establishment which is stipulated for exploration and exploitation in a Working Territory based on Joint Operation Contract with SKK Migas in accordance with legal provisions.
6. Operator shall be Contractor or in the event that Contractor consists of several holders of participating interest, one of the holders of participating interest which is appointed as representative by other holders of participating interest in accordance with Joint Operation Contract.

7. Partner shall be Contractor having participating interest in a Working Territory and not acting as Operator.
8. First Tranche Petroleum, hereinafter abbreviated as FTP, shall be a certain amount of crude oil and/or Natural Gas which is produced of a Working Territory in one calendar year, that can be lifted and received by SKK Migas and/or Contractor in each calendar year, before being reduced with refund of operating costs and handling of production (own use).
9. Contractor Overlifting shall be the excess of lifting of natural oil and/or gas by Contractor compared to its rights which is stipulated in Joint Operation Contract in certain period.
10. Contractor Underlifting shall be shortage of lifting of natural oil and/or gas by Contractor compared to its rights which is stipulated in Joint Operation Contract in certain period.
11. Indonesian Crude Price, hereinafter referred to as ICP, shall be the price of crude oil which is stipulated by the Government by a formula in the context of implementation of Joint Operation Contract of natural oil and/or gas as well as sales of crude oil of Government portion originating from implementation of natural oil and/or gas Joint Operation Contracts.
12. Account of Ministry of Finance k/ Oil Proceed of Contract of Work of Production Sharing Number 600.000411980 at Bank Indonesia, hereinafter referred to as Account of Natural Oil and Gas, shall be account in USD currency to collect the entire receipts, and to pay expenditures in connection with natural oil and/or gas upstream business activity.
13. State General Treasury Account, hereinafter referred to as KUN Account, shall be account of place of storage of state money specified by the Minister of Finance as State General Treasurer to collect the entire state revenues and to pay the entire state expenditures at central bank.
14. State General Treasurer, hereinafter referred to as BUN, shall be an official who is assigned to perform functions of State General Treasurer in accordance with Law which stipulates State Finance and State Treasury.
15. Proxy of State General Treasurer, hereinafter referred to as Proxy of BUN, shall be an official who is appointed by BUN to carry out duties of treasury affairs in the context of budget implementation in working territory already stipulated.
16. Receiving Bank of Foreign Currency shall be forex bank which is appointed by BUN/Proxy of BUN of Central Government to receive deposit of State Revenues in foreign currency.
17. State Revenues Transaction Number, hereinafter referred to as NTPN, shall be number of proof of payment/deposit to State Treasury which is indicated in proof of state revenues issued by settlement system.

18. Bank Transaction Number, hereinafter referred to as NTB, shall be number of proof of transaction of deposit of state revenues which is issued by Receiving Bank of Foreign Currency.
 19. State Treasury shall be place of storage of State money which is specified by the Minister of Finance as State General Treasurer to collect the entire state revenues and to pay the entire State expenditures.
 20. Proof of State Revenues, hereinafter referred to as BPN, shall be document which is issued by receiving bank/receiving forex bank of state revenues transaction with NTPN and NTB print.
2. The provisions of paragraph (3) Article 3 shall be amended, so that Article 3 shall read as follows:

Article 3

- (1) Portion of state as intended in Article 2 paragraph (1) sub-paragraph a shall cover Lifting constituting state rights originating from total Lifting of natural oil and/or gas based on Joint Operation Contract.
 - (2) Total Lifting as intended in paragraph (1) shall constitute total amount of natural oil and/or gas consisting of amount of Lifting of a Working Territory constituting state rights and Contractor rights.
 - (3) Lifting constituting state rights as intended in paragraphs (1) and (2) shall cover an amount of natural oil and/or gas of portion of SKK Migas as stipulated in Joint Operation Contract.
3. The provisions of paragraph (4) Article 4 shall be amended, so that Article 4 shall read as follows:

Article 4

- (1) Lifting of natural oil and/or gas of a Working Territory must undergo sales and/or delivery in accordance with laws and regulations and/or Joint Operation Contract.
- (2) Sales and/or delivery of natural oil and/or gas as intended in paragraph (1) shall consist of:
 - a. Lifting constituting state rights;
 - b. Lifting constituting Contractor rights; or
 - c. Lifting constituting state rights and Lifting constituting Contractor rights (joint Lifting)
- (3) Lifting constituting state and/or Contractor rights as intended in paragraph (2) shall constitute Lifting which is temporary.
- (4) Contractor and SKK Migas shall perform final calculation of Lifting constituting state rights and Contractor rights of each Working Territory at the end of year.

- (5) Result of final calculation of Lifting constituting state rights and Contractor rights as intended in paragraph (4) can be in the form of amount of Overlifting or Underlifting.
4. The provisions of paragraph (3) Article 7 shall be amended, so that Article 7 shall read as follows:

Article 7

- (1) Amount of Income Tax in the form of volume of natural oil of Contractor portion as intended in Article 6 to be delivered to Government shall be calculated by using ICP in the month when the Income Tax becomes payable.
- (2) Amount of Income Tax in the form of volume of natural gas of Contractor portion as intended in Article 6 to be delivered to the Government shall be calculated by using weighted average price of sales of Contractor in the month when the Income Tax becomes payable.
- (3) Price of natural gas which is used to calculate amount of Income Tax as intended in paragraph (2) shall be stipulated in Decision of the Minister of Finance.
5. The provisions of paragraphs (2), (4), and 5) Article 8 shall be amended, so that Article 8 shall read as follows:

Article 8

- (1) Proceeds of sale and/or delivery of Lifting constituting state rights as intended in Article 4 paragraph (2) sub-paragraphs a and c, shall be deposited as state portion in a full amount in accordance with Joint Operation Contract and/or in accordance with laws and regulations, without reduction of administrative costs.
- (2) Proceeds of sale and/or delivery of Lifting as intended in paragraph (1) shall be booked by SKK Migas into report which is prepared per-Working Territory for each month based on value of billing or documents relating to sales and/or delivery of Lifting constituting state rights.
- (3) Report as intended in paragraph (2) shall be delivered to the Directorate General of Budgeting and the Directorate General of Taxation, by no later than the end of the next month.
- (4) In the event that result of final calculation of Lifting constituting state rights and Contractor rights at the end of year as intended in Article 4 paragraph (5) is in the form of Contractor Overlifting, SKK Migas shall collect the Overlifting to Contractor.
- (5) In the event that result of final calculation of Lifting constituting state rights and Contractor rights at the end of year as intended in Article 4 paragraph (5) is in the form of Contractor Underlifting, SKK Migas shall collect the Underlifting to Government.
- (6) The provisions on procedure for deposit and/or payment of Contractor Overlifting and Contractor Underlifting as intended in paragraphs (4) and

(5) shall be stipulated separately in a Regulation of the Minister of Finance.

6. The provisions of Article 9 shall be amended, so as to read as follows:

Article 9

- (1) Payment of Income Tax as intended in Article 5 in the form of cash, shall be made to State Treasury through Receiving Bank of Foreign Currency in accordance with the provisions of laws and regulations.
- (2) Deleted.
- (3) Payment of Income Tax made in the form of cash as intended in paragraph (1), shall be subject to the following provisions:
 - a. Payment of Income Tax as intended in Article 5 sub-articles a and c, must be received in State Treasury at Receiving Bank of Foreign Currency by no later than the 15th (fifteenth) day of the next month after the end of tax period;
 - b. Payment of Income Tax as intended in Article 5 sub-articles b and d, must be received in State Treasury at Receiving Bank of Foreign Currency by no later than the end of the fourth month after the end of fiscal year, and before Annual Income Tax Return is delivered; and
 - c. Payment of Income Tax made as intended in sub-paragraphs a and b shall be acknowledged to have been received in State Treasury in the event that NTPN and NTB have been obtained.
- (4) Deleted.
- (5) Deleted.
- (6) Deleted.
- (7) Deleted.
- (8) Deleted.

7. 4 (four) articles shall be inserted between Articles 9 and 10, namely Articles 9A, 9B, 9C and 9D, so as to read as follows:

Article 9A

- (1) In the event that Income Tax is paid in the form of volume of natural oil and/or gas as intended in Article 6 paragraph (1), the said payment shall be made through delivery of volume of natural oil and/or gas of Contractor to the Government which is represented by SKK Migas.
- (2) Payment of Income Tax in the form of volume of natural oil and/or gas as intended in paragraph (1) must be made by no later than the 15th (fifteenth) day of the next month after the end of tax period.

Article 9B

- (1) Payment of Income Tax made in the form of volume of natural oil and/or gas as intended in Article 9A paragraph (1), shall be set forth in minutes of delivery and acceptance in accordance with the format as indicated in Attachment I constituting inseparable part of this Regulation of the Minister, and shall be signed by Contractor and the Government which is represented by SKK Migas.
- (2) Minutes of delivery and acceptance as intended in paragraph (1) must be delivered by SKK Migas to the Ministry of Finance c.q. the Directorate General of Taxation and the Directorate General of Budgeting by no later than 5 (five) workdays after the signing of minutes of delivery and acceptance.
- (3) The date of minutes of delivery and acceptance as intended in paragraph (1) shall be declared as proof of the date of payment of Income Tax in the form of volume of natural oil and/or gas.
- (4) At the time of delivery of volume of natural oil and/or gas of Contractor to the Government which is represented by SKK Migas as intended in Article 9 A paragraph (1), Contractor must deliver Tax Payment Form for payment of Income Tax in the form of volume of natural oil and/or gas.

Article 9 C

- (1) In the event that the maturity date of payment as intended in Article 9 paragraph (3) and Article 9A paragraph (2) falls on holiday, payment of Income Tax can be made by no later than the next workday.
- (2) Holiday as intended in paragraph (1) shall be Saturday, Sunday, national holiday, closed day for organizing of general election, or days which are stipulated as national mass leave.
- (3) In the event that there is Income Tax overpayment at the end of fiscal year, the overpayment shall be settled in accordance with laws and regulations in the field of taxation.

Article 9D

- (1) In the event that natural oil and/or gas originating from payment of Income Tax in the form of volume of natural oil and/or gas as intended in Article 9A paragraph (1) are/is sold, SKK Migas must report the sale proceeds to the Ministry of Finance c.q. the Directorate General of Taxation.
- (2) SKK Migas shall be requested to deposit sale proceeds of natural oil and/or gas as intended in paragraph (1) to State Treasury through Receiving Bank of Foreign Currency.

8. The provisions of Article 10 shall be amended, so as to read as follows:

Article 10

- (1) Payment of Income Tax in the form of cash as intended in Article 9 paragraph (1), shall be made by using Tax Payment Form or other administrative facilities the competence of which is equal to Tax Payment Form in accordance with the provisions of laws and regulations.
 - (2) Tax Payment Form or other administrative facilities the competence of which is equal to Tax Payment Form as intended in paragraph (1) shall be acknowledged as valid proof of payment in the event that NTPN and NTB have been obtained.
 - (3) Date which is acknowledged as the date of payment of Income Tax by Contractor shall be the date of payment which is indicated in BPN.
 - (4) In the event that payment of Income Tax is made in the form of volume of natural oil and/or gas as intended in Article 9A paragraph (1), it shall be subject to the provisions on preparation and filling out of Tax Payment Form as follows:
 - a. Tax Payment Form shall use the format as indicated in Attachment II constituting inseparable part of this Regulation of the Minister;
 - b. Tax Payment Form shall be prepared based on minutes of delivery and acceptance as intended in Article 9B paragraphs (1) and (2); and
 - c. Tax Payment Form must be attached by minutes of delivery and acceptance as intended in Article 9B paragraph (1).
 - (5) Tax Payment Form as intended in paragraph (4) shall be acknowledged as valid proof of payment in the event that it has been validated by official appointed at the ministry which organizes governmental affairs in the field of oil and gas business activity or SKK Migas.
 - (6) Validation as intended in paragraph (5) shall be done based on minutes of delivery and acceptance as stipulated in Article 9B paragraph (1) .
9. The provisions of paragraph (5) Article 11 shall be amended, so that Article 11 shall read as follows:

Article 11

- (1) Contractor which acts whether as Operator or Partner in a Working Territory, in performing Joint Operation Contract, must prepare report on state revenues from natural oil and/or gas upstream business activity in the related Working Territory.
- (2) Report as intended in paragraph (1) shall be in the form of:
 - a. Monthly report; and
 - b. Annual report.
- (3) Report as in paragraph (1) shall indicate information on state portion as intended in Article 3 and Income Tax as intended in Article 5.

- (4) Report as intended in paragraph (1) shall be prepared by Partner based on data on natural oil and/or gas upstream business activity from Operator.
 - (5) Report as intended in paragraph (1) shall be prepared by using the format of report as indicated in Attachment III, constituting inseparable part of this Regulation of the Minister.
10. The provisions of Article 12 shall be amended, so that Article 12 shall read as follows:

Article 12

- (1) Monthly and annual report as intended in Article 11 must be delivered by Operator and Partner to:
 - a. The Directorate General of Budgeting c.q. the Directorate of Non-Tax State Revenues;
 - b. Office of the Directorate General of Taxation where Operator and Partner are registered; and
 - c. SKK Migas.
 - (2) Report as intended in paragraph (1) shall be attached by:
 - a. Tax Payment Form or other administrative facilities the competence of which is equal to Tax Payment Form as intended in Article 10; and
 - c. Minutes of delivery and acceptance as intended in Article 9B paragraph (1) in the event that payment of Income Tax is made in the form of volume of natural oil and/or gas.
11. The provisions of Article 14 shall be deleted.
12. The provisions of Article 15 shall be deleted.
13. 3 (three) Articles shall be inserted between Articles 15 and 16 namely Articles 15A, 15B, and 15C, so as to read as follows:

Article 15A

- (1) In the event that payment to State Treasury through Receiving Bank of Foreign Currency or receiving bank/post office cannot yet be made, payment of Income Tax shall be made through Oil and Gas Account for the period by no later than 3 (three) months as from the promulgation of this Regulation of the Minister.
- (2) In the event that there is payment of Income Tax through Oil and Gas Account within the period of 3 (three) months as intended in paragraph (1), transfer of state revenues in the form of Income Tax from Oil and Gas Account to KUN Account shall be done.

- (3) Transfer of state revenues in the form of Income Tax as intended in paragraph (2) shall be performed by the Director General of Treasury at request of the Director General of Budgeting in accordance with the provisions of laws and regulations.
- (4) The Director General of Budgeting shall deliver report on payment of Income Tax as intended in paragraph (3) to the Director General of Taxation, by no later than 20 (twenty) workdays after the date of transfer of each month with a copy addressed to SKK Migas.

Article 15B

- (1) Payment of Income Tax through Oil and Gas Account which is made after the period of 3 (three) months as intended in Article 15A paragraph (1), shall not be acknowledged as payment of Income Tax as intended in Article 5.
- (2) Payment of Income Tax through Oil and Gas Account which exceeds the period of 3 (three) months as intended in paragraph (1), can be requested for its refund by Contractor based on application which is delivered by Contractor to the Directorate General of Budgeting.
- (3) Contractor can file request for refund as intended in paragraph (2) after making payment of Income Tax to State Treasury at Receiving Bank of Foreign Currency in an amount which is not lower than amount which is deposited to Oil and Gas Account as intended in paragraph (1).
- (4) Application for refund delivered by Contractor to the Directorate General of Budgeting must be attached by the following documents:
 - a. Tax Payment Form or other administrative facilities which have obtained NTPN and NTB upon payment of Income Tax on natural oil and/or gas as intended in paragraph (3); and
 - b. Proof of transfer of payment of Income Tax on natural oil and/or gas to oil and gas account.

Article 15C

- (1) In the context of processing application for refund, the Directorate General of Budgeting shall perform examination and clarification on documents as intended in Article 15B paragraph (4).
- (2) The examination and clarification as intended in paragraph (1) can be performed jointly with the related agencies and/or Contractors.
- (3) The examination and clarification as intended in paragraph (2) shall be set forth in minutes of examination and clarification, which is signed by the parties which perform examination and clarification.
- (4) Based on minutes as intended in paragraph (3) and by taking into account application of Contractor as intended in Article 15B paragraph (2), the Director General of Budgeting shall issue request letter of transfer to the Director General of Treasury.

- (5) Based on request letter of transfer as intended in paragraph (4), the Director General of Treasury shall issue order of transfer from Oil and Gas Account to Contractor account, in accordance with the legal provisions in the field of treasury.
14. The provisions of Article 16 shall be deleted.
15. The provisions of paragraph (1) Article 17 shall be amended, 1 (one) paragraph shall be inserted between paragraphs (1) and (2), namely paragraph (1a), so that Article 17 shall read as follows:

Article 17

- (1) In the event that Contractor does not meet the provisions on payment of Income Tax as stipulated in Article 9 paragraph (3) and Article 9A paragraph (2), Contractor shall be subject to sanctions in accordance with laws and regulations in the field of taxation.
- (1a) In the event that Contractor makes payment of Income Tax on natural oil and/or gas to Oil and Gas Account as intended in Article 15B paragraph (1) which makes the lapse of the time limit of payment as intended in Article 9 paragraph (3) and Article 9A paragraph (2), the Contractor shall be subject to sanctions in accordance with laws and regulations in the field of taxation.
- (2) In the event that Contractor does not meet the provisions on delivery of report on state revenues from natural oil and/or gas upstream business activity as intended in Article 13, it shall be subject to the following provisions:
- a. Contractor shall be subject to sanctions in accordance with laws and regulations in the field of taxation; and/or
 - b. settlement of obligations of the Government to Contractor shall be postponed by the Directorate General of Budgeting.

Article II

This Regulation of the Minister shall come into effect on the date of its promulgation.

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

Stipulated in Jakarta
on March 31, 2015
THE MINISTER OF FINANCE OF
THE REPUBLIC OF INDONESIA,

signed

BAMBANG P.S. BRODJONEGORO

Promulgated in Jakarta

On March 31, 2015
THE MINISTER OF LAW AND HUMAN RIGHTS OF
THE REPUBLIC OF INDONESIA,

signed

YASONNA H. LAOLY

OFFICIAL GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2015 NUMBER 482

Issued as a true copy
THE HEAD OF GENERAL AFFAIRS BUREAU
on behalf of
THE HEAD OF ADMINISTRATION DIVISION OF THE MINISTRY

signed

GIARTO

Civil Service Registration No. (NIP) 195904201984021001

Note

ATTACHMENT I
REGULATION OF THE MINISTER OF FINANCE OF THE REPUBLIC OF INDONESIA
NUMBER 70/PMK.03/2015
REGARDING AMENDMENT TO REGULATION OF THE MINISTER OF FINANCE
NUMBER 79/PMK.02/2012 REGARDING PROCEDURE FOR DEPOSIT AND
REPORTING OF STATE REVENUES FROM NATURAL OIL AND/OR GAS UPSTREAM
BUSINESS ACTIVITY AND CALCULATION OF INCOME TAX FOR THE PURPOSE OF
PAYMENT OF INCOME TAX ON NATURAL OIL AND/OR GAS IN THE FORM OF
VOLUME OF NATURAL OIL AND/OR GAS

THE MINISTER OF FINANCE OF
THE REPUBLIC OF INDONESIA

FORMAT OF MINUTES OF DELIVERY AND ACCEPTANCE

Minutes of Delivery and Acceptance of
Payment of Income Tax
In the Form of Volume of Natural Oil and/or Gas
Number: BAST-.....

On this day date, month....., year, located in..... we,
the undersigned (to be filled out with day, date, month, year and place of implementation
of delivery & acceptance):

1.(name of official).....(position), acting on behalf of Special Task Force Unit
of Oil and Gas Upstream Business Activity Executor (SKK Migas), hereinafter
referred to as the First Party
and
2.(name of official), (position), acting on behalf of Taxpayer
(name of Joint Operation Contract Contractor). NPWP (NPWP of
Contractor of Joint Operation Contract) hereinafter referred to as the Second

Party,

in front of witnesses

1.(name of witness),.....(position), (agency) hereinafter referred to as the First Witness
- and
2.(name of witness),.....(position),.....(agency) hereinafter referred to as the Second Witness,

have performed delivery & acceptance of natural oil and/or gas with breakdown as follows:

| No | Description | Volume (MBBLS/MMCF/MBTU) | Unit Price (US \$/Rp)* | Total Value (US \$/Rp)* |
|----|-------------|-----------------------------|---------------------------|----------------------------|
| 1 | Natural Oil | | | |
| 2 | Natural Gas | | | |
| | Amount | | | |

*) cross out the unnecessary

as payment of Income Tax

| | | |
|---------------------------------|---|---|
| Tax Period | : |(to be filled out with tax period which is paid) |
| Fiscal Year | : |(to be filled out with Fiscal Year of tax period which is paid) |
| Value of Income Tax (in number) | : |(to be filled out with value of rupiah or US dollar of Income Tax which is paid in number) |
| Value of Income Tax (in letter) | : |(to be filled out with value of rupiah or US dollar of Income Tax which is paid in latin letter) |

This Minutes is prepared in 4 (four) copies, respectively for:

1. The First Party;
2. The Second Party;
3. The Directorate General of Taxation, the Ministry of Finance; and
4. The Directorate General of Budgeting, the Ministry of Finance.

This Minutes has been properly and duly executed.

After being read out, explained, and understood by both parties, then it is stipulated by affixing the following signatures.

Prepared in.....
on date

| | | | |
|-----------------------|-----------------------|-------------------|--------------------|
| The First Party | The Second Party | The First Witness | The Second Witness |
| (name of position) | (name of position) | | |
| (signature and stamp) | (signature and stamp) | (signature) | (signature) |
| (full name) | (full name) | (full name) | (full name) |

THE MINISTER OF FINANCE OF
THE REPUBLIC OF INDONESIA,
signed
BAMBANG P.S. BRODJONEGORO

Issued as a true copy,
THE HEAD OF GENERAL AFFAIRS BUREAU
on behalf of
THE HEAD OF ADMINISTRATION DIVISION OF THE MINISTRY
signed
GIARTO
Civil Service Registration No. (NIP) 195904201984021001

ATTACHMENT II
REGULATION OF THE MINISTER OF FINANCE OF THE REPUBLIC OF INDONESIA
NUMBER 70/PMK.03/2015
REGARDING AMENDMENT TO REGULATION OF THE MINISTER OF FINANCE
NUMBER 79/PMK.02/2012 REGARDING PROCEDURE FOR DEPOSIT AND
REPORTING OF STATE REVENUES FROM NATURAL OIL AND/OR GAS UPSTREAM
BUSINESS ACTIVITY AND CALCULATION OF INCOME TAX FOR THE PURPOSE OF
PAYMENT OF INCOME TAX ON NATURAL OIL AND/OR GAS IN THE FORM OF
VOLUME OF NATURAL OIL AND/OR GAS

FILLING OUT GUIDELINES FOR FORM OF OIL GAS TAX PAYMENT FORM

| | | |
|---|----|---|
| NPWP | | to be filled out with Taxpayer Registration Number (NPWP) owned by Taxpayer. |
| NAME OF TAXPAYER | OF | to be filled out with Name of Taxpayer. |
| ADDRESS OF TAXPAYER | OF | to be filled out in accordance with address indicated in Certificate of Registration (SKT). |
| Tax Account Code | | to be filled out with number of Tax Account for each tax account to be paid or deposited. |
| Deposit Type Code | | to be filled out with number in column "Deposit Type Code" for each tax deposit type to be paid or deposited. |
| Remarks: The two codes must be filled out correctly and completely so that taxation obligations which have been paid can be administered correctly. | | |
| Description of Payment | of | to be filled out in accordance with description in column "Deposit Type" relating to Tax Account Code and Deposit Type Code. |
| Tax Period | | to be filled out by placing a cross mark in one of the columns of Tax Period for tax period which is paid or deposited. Payment or deposit for more than one tax period shall be made by using one SSP for each tax period. |
| Fiscal Year | | to be filled out with year when tax becomes payable. |
| Amount of Payment | | to be filled out with number of amount of tax which is paid or deposited in full rupiah. Tax payment by using US Dollar |

currency (for WP which is obliged to make tax payment in US Dollar currency), shall be filled out completely up to cen.
In words to be filled out with amount of tax which is paid or deposited in latin letter and Indonesian language.

As Conversion of volume of natural oil and/or gas amounting to to be filled out with number of quantity of volume of natural oil and/or gas which is conversed as payment of Income Tax in accordance with minutes of delivery and acceptance of volume of natural oil and/or gas as payment of Income Tax.

Remarks: minutes of delivery and acceptance of volume of natural oil and/or gas already signed by Contractor and SKK Migas must be attached.

Validation by Official appointed To be filled out with the date of validation, signature, and full name of official who makes validation as well as stamp/seal of agency of Official appointed to perform validation.

Taxpayer/Deposant to be filled out with place and the date of payment or deposit, signature, and full name of Taxpayer/Deposant as well as business stamp.

Space of Validation to be filled out with Number of Minutes of Delivery and Acceptance and the Date of Minutes of Delivery and Acceptance.

THE MINISTER OF FINANCE OF
THE REPUBLIC OF INDONESIA,
signed
BAMBANG P.S. BRODJONEGORO

Issued as a true copy,
THE HEAD OF GENERAL AFFAIRS BUREAU
on behalf of
THE HEAD OF ADMINISTRATION DIVISION OF THE MINISTRY
signed
GIARTO
Civil Service Registration No. (NIP) 195904201984021001

ATTACHMENT III
REGULATION OF THE MINISTER OF FINANCE OF THE REPUBLIC OF INDONESIA
NUMBER 70/PMK.03/2015
REGARDING AMENDMENT TO REGULATION OF THE MINISTER OF FINANCE
NUMBER 79/PMK.02/2012 REGARDING PROCEDURE FOR DEPOSIT AND
REPORTING OF STATE REVENUES FROM NATURAL OIL AND/OR GAS UPSTREAM
BUSINESS ACTIVITY AND CALCULATION OF INCOME TAX FOR THE PURPOSE OF
PAYMENT OF INCOME TAX ON NATURAL OIL AND/OR GAS IN THE FORM OF
VOLUME OF NATURAL OIL AND/OR GAS

REPORT ON STATE REVENUES FROM NATURAL OIL AND/OR GAS UPSTREAM BUSINESS ACTIVITY

A. IDENTITY :
Name of Contractor/NPWP :
Address :
Working Territory :

A.1 PERIOD OF REPORTING :

Period of Report :
Year of Reporting :

B. PERCENTAGE OF OWNERSHIP (%):

Operator :
Partner A :
Partner B :

C. OIL LIFTING (Total Lifting by SKK Migas and Contractor):

| Type of Crude Oil | Quantity of Lifting (Bbls) | Price (USD) | Value of Lifting in current month | Value of Lifting of the previous month | Accumulation until current month |
|-------------------|----------------------------|-------------|-----------------------------------|--|----------------------------------|
| | | | | | |
| TOTAL OIL | | | | | |

D. GAS LIFTING (Total Lifting by SKK Migas and Contractor):

| Gas type | Quantity of Lifting (MBTU/MM CF/MT) | Price (USD) | Value of Lifting in current month | Value of Lifting of the previous month | Accumulated Lifting until current month |
|------------------|-------------------------------------|-------------|-----------------------------------|--|---|
| | | | | | |
| TOTAL GAS | | | | | |

E. EQUITY TO BE SPLIT:

| TOTAL LIFTING | lifting of current month | | | Lifting of the previous month of Oil Gas Sub | | | Lifting until current month | | |
|--------------------|--------------------------|-----|-----------|--|-----|-----------|-----------------------------|-----|-----------|
| | Oil | Gas | Sub Total | Oil | Gas | Sub Total | Oil | Gas | Sub Total |
| Total Lifting | | | | | | | | | |
| FTP | | | | | | | | | |
| Investment credit | | | | | | | | | |
| Cost recovery | | | | | | | | | |
| Equity to be split | | | | | | | | | |

F. CALCULATION OF INCOME TAX AND GOVERNMENT PORTION:

| | Lifting of current month | | | Lifting of the previous month of Oil Gas Sub | | | Lifting until current month | | |
|---|--------------------------|-----|-----------|--|-----|-----------|-----------------------------|-----|-----------|
| | Oil | Gas | Sub Total | Oil | Gas | Sub Total | Oil | Gas | Sub Total |
| 1. CONTRACTOR INCOMES | | | | | | | | | |
| Contractor Lifting | | | | | | | | | |
| DMO Fee | | | | | | | | | |
| Over/ Underlifting | | | | | | | | | |
| Total contractor incomes | | | | | | | | | |
| 2. REDUCTION OF CONTRACTOR INCOMES | | | | | | | | | |
| Cost recovery | | | | | | | | | |
| Others | | | | | | | | | |
| Total reduction of contractor incomes | | | | | | | | | |

| | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|
| 3. CONTRACTOR TAXABLE INCOMES | | | | | | | | | | |
| Addition; | | | | | | | | | | |
| - Investment credit | | | | | | | | | | |
| - FTP which is calculated as taxable incomes | | | | | | | | | | |
| Total contractor taxable incomes | | | | | | | | | | |
| 4. DIVISION OF TAXABLE INCOMES | | | | | | | | | | |
| Taxable Incomes of Operator | | | | | | | | | | |
| Taxable Incomes of Partner A | | | | | | | | | | |
| Taxable Incomes of Partner B | | | | | | | | | | |
| 5. CALCULATION OF TAX PAYABLE | | | | | | | | | | |
| Tax Payable | | | | | | | | | | |
| a. Corporate Income Tax | | | | | | | | | | |
| - Tax Tarif | | | | | | | | | | |
| - Tax Payable | | | | | | | | | | |
| b. Income Tax on profits after being reduced with corporate Income Tax (dividend tax) | | | | | | | | | | |
| - Tax Tarif | | | | | | | | | | |
| - Tax Payable | | | | | | | | | | |
| Amount of tax payable | | | | | | | | | | |
| Tax already Paid | | | | | | | | | | |
| - Corporate Income Tax | | | | | | | | | | |
| - Income Tax on profits after being reduced with corporate Income Tax (dividend tax) | | | | | | | | | | |
| Amount of tax already paid | | | | | | | | | | |
| Tax under (over) Payment | | | | | | | | | | |
| - Corporate Income Tax | | | | | | | | | | |
| - Income Tax on profits after being reduced with corporate Income Tax (dividend tax) | | | | | | | | | | |
| Amount of tax under (over) payment | | | | | | | | | | |
| 6. GOVERNMENT RECEIPT | | | | | | | | | | |
| Government Lifting Over / Underlifting Reduced with : DMO Fee Receipt of Income Tax on | | | | | | | | | | |

| | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|
| natural oil and/or gas | | | | | | | | | |
| Total Government receipt | | | | | | | | | |
| | | | | | | | | | |
| 7. FTP the tax of which is deferred | | | | | | | | | |
| Balance of FTP of the previous year Plus FTP of current year FTP which is calculated as taxable incomes | | | | | | | | | |
| Balance of FTP deferred | | | | | | | | | |

FILLING OUT GUIDELINES FOR FORMAT OF REPORT ON STATE REVENUES FROM NATURAL OIL AND/OR GAS UPSTREAM BUSINESS ACTIVITY

I. GENERAL GUIDELINES

1. Every month, Contractor must prepare and deliver report on state revenues from natural oil and/or gas upstream business activity as basis for tax payment in the related Working Territory.
2. Report as intended in point 1, shall use format of report as attached to Attachment, constituting inseparable part of this Regulation of the Minister.
3. In preparing report intended at point 1, Contractor must fill out:
 - a. Part A : Identity of Contractor as Taxpayer
 - b. Part A.1 : Period of reporting
 - c. Part B : Percentage of ownership
 - d. Part C and D : Lifting of natural oil and/or gas
 - e. Part E : Equity to be split to monitor tax on FTP deferred
 - f. Part F : Calculation of Income Tax and Government portion, which covers:
 - 1) Number 1 : Contractor Incomes
 - 2) Number 2 : Reduction of Contractor incomes
 - 3) Number 3 : Contractor taxable incomes
 - 4) Number 4 : Division of taxable incomes
 - 5) Number 5 : Calculation of tax payable
 - 6) Number 6 : Government Receipt
 - 7) Number 7 : FTP the tax of which is deferred
4. Partner in filling out report on state revenues from natural oil and/or gas upstream business activity is based on data on natural oil and/or gas upstream business activity from Operator so that parts A1, B, C, D, E, and F must be in accordance with Operator data.

II. SPECIAL GUIDELINES

1. In the event that Contractor which prepares report on state revenues from natural oil and/or gas upstream business activity as intended in roman number I point 1 cannot yet determine actual costs of the related month, the Contractor is permitted to make estimate of costs based on workplan and installment divided by 12 (twelve). In the event that there are revised workplan and budget, shortage or excess of charge of the

- prior months, they shall be entirely charged in the next months in the same fiscal year after revision of workplan and budget.
2. Addition or reduction of costs because actual costs are not the same as estimated costs in the prior month, the addition or reduction shall be directly charged to current month in the same fiscal year.
 3. Estimate which is made as intended in points 1 and 2, is also applicable to calculation of investment credit.
- III. Procedure for filling out of report on state revenues from natural oil and/or gas upstream business activity becoming obligations of Contractor of each Working Territory is as follows:
1. Part A, Identity of Contractor as Taxpayer:
 - a. Contractor's name shall be filled out by Contractor which reports monthly report on state revenues from natural oil and/or gas upstream business activity.
 - b. Taxpayer Registration Number (NPWP) shall be filled out with NPWP of Contractor which reports report on state revenues from natural oil and/or gas upstream business activity.
 - c. Address shall be filled out with address of Contractor which reports report on state revenues from natural oil and/or gas upstream business activity.
 - d. Working Territory shall be filled out with mining area which is managed by Contractor.
 2. Part A.1, Period of Reporting:
 - a. Period of reporting shall be filled out with period of Lifting which is reported by Contractor.
 - b. Year of reporting shall be filled out with year of Lifting which is reported by Contractor.
 3. Part B, Percentage of ownership: To be filled out with percentage of participating interest of all Contractors having participating interest in the related Working Territory. In the event that number of participating interest is more than two, Contractor can add the number of participating interest by itself.
 4. Part C, Oil lifting:
 - a. Crude type shall be filled out with types of crude oil which is produced from the related Working Territory in accordance with Operator data.
 - b. Quantity lifted shall be filled out with total oil Lifting (whether Government portion or Contractor portion) of the related Working Territory in current month in barrel unit in accordance with Operator data.
 - c. Price shall be filled out with Crude Oil Price based on Indonesian Crude Price (ICP) applicable in current month in US Dollar in accordance with Operator data.
 - d. Value of Lifting of current month shall be filled out with multiplication of quantity lifted by prices in accordance with Operator data.
 - e. Lifting Value of the prior months shall be filled out with value of current month of the prior month in accordance with Operator data.
 - f. Cumulative year to date shall be filled out with Lifting value of current month plus value of Lifting of the prior months in accordance with Operator data.

5. Part D, Gas lifting:
- Gas type shall be filled out with the types of gas produced from the related Working Territory such as LNG/LPG/ natural gas in accordance with Operator data.
 - Quantity lifted shall be filled out with a total gas Lifting (whether Government portion or Contractor portion) of the related Working Territory in current month in MMBTU/MMCF/MT unit in accordance with Operator data.
 - Price shall be filled out with prices of gas based on gas sale purchase contract applicable in current month in US Dollar in accordance with Operator data.
 - Lifting Value of current month shall be filled out with multiplication of quantity lifted by prices in accordance with Operator data.
 - Value of Lifting of the previous months shall be filled out with value of current month of the previous month in accordance with Operator data .
 - Cummulative year to date shall be filled out with Lifting value of current month plus Lifting value of the previous months in accordance with Operator data.
6. Part E, equity to be split:
- Total Lifting of oil and gas shall be filled out in accordance with value of oil Lifting as intended in point 4 sub-points d, e, and f, as well as value of Lifting gas as intended in point 5 sub-points d, e, and f.
 - FTP shall be filled out with value of certain percentage based on Joint Operation Contract times total Lifting whether for oil or gas in accordance with Operator data.
 - Investment credit shall be filled out with certain amount relating to production facilities given as incentive for development of field which has obtained approval from SKK Migas whether current month, amount until the prior months, or cummulative year to date. In the event that Operator cannot yet determine actual value of investment credit, calculation of investment credit shall be in accordance with roman number II points 1 and 2, in accordance with Operator data.
 - Cost recovery shall be filled out in accordance with Operator data amounting to operating costs that can be refunded in the context of expenditures performed and obligation arising out of implementation of operation of natural oil and/or gas upstream business activity which has obtained approval from SKK Migas through workplan and budget whether current month, amount until prior months, or cummulative year to date. In the event that Operator cannot yet determine actual value of cost recovery, calculation of cost recovery shall be in accordance with roman number II points 1 and 2.
 - Equity to be split shall be filled out based on calculation of total Lifting reduced with FTP, investment credit, and cost recovery in accordance with Operator data.
7. Part F, constitutes calculation of Income Tax payable and government portion from activity of production sharing of natural oil and/or gas in certain area.
- Part F consists of the following parts:

- a. Number 1, Contractor income:
- 1) Contractor Lifting: to be filled out based on quantity of natural oil and/or gas actually lifted by Contractor whether current month, prior months, or cumulative year to date in accordance with Operator data.
 - 2) Not included as contractor lifting as intended in number 1) are investment credit and Contractor portion from FTP.
 - 3) DMO Fee shall be filled out in accordance with Operator data amounting to fee which is received by Contractor on DMO obligation from Government in accordance with Joint Operation Contract whether current month, prior months, or cumulative year to date.
 - 4) Over/Under Lifting shall be filled out in accordance with Operator data based on calculation of excess or shortage of Lifting performed by Contractor compared to entitlement annually or other periods in accordance with Joint Operation Contract or in accordance with the provisions of laws and regulations.
- b. Number 2, deduction of contractor income:
- 1) Cost recovery shall be filled out in accordance with cost recovery as intended in point 6 sub-point d based on Operator data.
 - 2) Others shall be filled out if there are other matters becoming elements of deduction of taxable incomes other than cost recovery in accordance with the provisions applicable whether current month, prior months, or cumulative year to date in accordance with Operator data.
- c. Number 3, Contractor Taxable Income:
- 1) Addition:
 - a) Investment credit shall be filled out in accordance with investment credit as intended in point 6 sub-point c based on Operator data.
 - b) FTP charged to taxable income shall be filled out amounting to FTP that can be charged as addition of taxable income in accordance with Operator data.
 - 2) Total contractor taxable incomes shall be filled out in accordance with Operator data based on result of calculation of Contractor incomes as intended in sub-point a reduced with element of deduction of taxable incomes as intended in sub-point b and then added with investment credit and FTP which is charged to taxable incomes as intended in number 1).
- d. Number 4, division of taxable incomes : To be filled out in accordance with number of participating interest of each Partner times Contractor taxable income as intended in sub-point c in accordance with Operator data.
- With the following provisions:
- 1) In the event that there is charge of operating costs which is not distributed to all Partners, Operator will make adjustment of the charge to taxable incomes of each Partner in accordance with agreement inter Partner.
 - 2) Adjustment as intended in number 1) does not change total amount of contractor taxable income as intended in

- sub-point c.
- e. Number 5, tax calculation:
- 1) Amount of Tax Payable shall be filled out with amount of tax payable which consists of:
 - a) corporate Income Tax, it shall be calculated and filled out by each Partner/Operator which delivers report on state revenues from natural oil and/or gas upstream business activity based on cumulative year to date of taxable incomes on portion of Partner/Operator which reports (taxable share) as intended in sub-point d multiplied by corporate Income Tax tariff applicable.
 - b) Income Tax on profits after being reduced with corporate Income Tax (dividen tax) shall be calculated and filled out by each Partner/Operator which delivers report on state revenues from natural oil and/or gas upstream business activity based on cumulative year to date of portion of taxable incomes of each Partner (taxable share) as intended in sub-point d reduced with corporate Income Tax as intended in sub-point a) multiplied by applicable tax tariff.
- Income Tax on natural oil and/or gas payable shall be calculated and filled out by each Partner/Operator which delivers report on state revenues from natural oil and/or gas upstream business activity based on amount of calculation of cumulative year to date of Income Tax on natural oil and/or gas (corporate tax and dividend tax) as intended in sub-points a and b).
- 2) Amount of tax already paid : It shall be calculated and filled out by each Partner/Operator which delivers report on state revenues from natural oil and/or gas upstream business activity based on amount of Income Tax on natural oil and/or gas (corporate tax and dividend tax) already paid of each type of Income Tax by the related Partner/Operator in the prior month.
 - 3) Tax under (over) payment : It shall be filled out by each Partner/Operator which delivers report on state revenues from natural oil and/or gas upstream business activity constituting under or over paid Income Tax on natural oil and/or gas (corporate tax and dividend tax) based on calculation of tax payable as intended in number 1) reduced with amount of tax already paid as intended in number 2).
- f. Number 6, Government income :
- 1) Government Lifting:
To be filled out in accordance with Operator data based on quantity of natural oil and/or gas of actual Lifting by state whether current month, the prior months or cumulative year to date.
 - 2) Over/Under Lifting:
To be filled out in accordance with Operator data based on calculation of excess or shortage of Lifting which is made by state compared to entitlement annually or other periods in accordance with Joint Operation Contract.

- 3) DMO Fee:
To be filled out in accordance with Operator data amounting to value of fee received by Contractor on obligation of DMO from Government in accordance with Joint Operation Contract whether current month, prior months, or cumulative year to date.

- g. Number 7, FTP the tax of which is deferred (deferred FTP):
To be filled out in accordance with Operator data amounting to accumulated FTP which is received by Contractor which does not yet obtain equity share and which is calculated as taxable incomes at the time the block has equity share.

The following information are necessary to be filled out in this part:

- 1) Balance of FTP of the prior year (beginning balance) namely initial balance from the first time FTP arises until the related year.
- 2) Additions namely addition of FTP arising out in current month.
- 3) FTP charged to taxable income namely FTP which can be charged as addition of taxable income at the time the block has obtained equity share.
- 4) Balance of deferred FTP (ending balance of deferred FTP) namely final balance of FTP still outstanding.

THE MINISTER OF FINANCE OF
THE REPUBLIC OF INDONESIA,
signed
BAMBANG P.S. BRODJONEGORO

Issued as a true copy,
THE HEAD OF GENERAL AFFAIRS BUREAU
on behalf of
THE HEAD OF ADMINISTRATION DIVISION OF THE MINISTRY
signed
GIARTO
Civil Service Registration No. (NIP) 195904201984021001

Source: LOOSE LEAF REGULATION OF THE MINISTER OF FINANCE YEAR
2015