

**REGULATION OF THE MINISTER OF FINANCE OF THE REPUBLIC OF INDONESIA**  
**NUMBER 139 OF 2024**  
**ON**  
**PROCEDURES FOR THE PAYMENT OF INVOICES TO THE GOVERNMENT FOR UPSTREAM OIL-AND-GAS BUSINESS ACTIVITIES**

BY THE GRACE OF GOD ALMIGHTY

THE MINISTER OF FINANCE OF THE REPUBLIC OF INDONESIA,

Considering:

- a. that in order to optimize state revenue as well as to fulfill the need and development of the implementation of upstream oil-and-gas business activities, it is necessary to amend several Regulations of the Minister of Finance which regulate provisions on the payment of invoices to the Government for the upstream oil-and-gas business activities;
- b. that for the purpose of simplification of regulations, the amendment to several Regulations of the Minister of Finance as referred to in letter a shall be conducted by re-regulating the payment of invoices to the Government for the upstream oil-and-gas business activities in a single Regulation of the Minister of Finance;
- c. that based on the considerations as referred to in letter a and letter b, it has been deemed necessary to establish Regulation of the Minister of Finance on Procedures for the Payment of Invoices to the Government for Upstream Oil-and-Gas Business Activities.

Observing:

1. Article 17 paragraph (3) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 8 of 1983 on Value-Added Tax of Goods and Services and Luxury Goods Sales Tax (State Gazette of the Republic of Indonesia of 1983 Number 51, Supplement to the State Gazette of the Republic of Indonesia Number 3264) as amended several times, most recently by Law Number 6 of 2023 on the Stipulation of Regulation of the Government in Lieu of Law Number 2 of 2022 on Job Creation into Law (State Gazette of the Republic of Indonesia of 2023 Number 41, Supplement to the State Gazette of the Republic of Indonesia Number 6856);
3. Law Number 22 of 2001 on Oil-and-Gas (State Gazette of the Republic of Indonesia of 2001 Number 136, Supplement to the State Gazette of the Republic of Indonesia Number 4152) as amended by Law Number 6 of 2023 on the Stipulation of Regulation of the Government in Lieu of Law Number 2 of 2022 on Job Creation into Law (State Gazette of the Republic of Indonesia of 2023 Number 41, Supplement to the State Gazette of the Republic of Indonesia Number 6856);
4. Law Number 17 of 2003 on State Finance (State Gazette of the Republic of Indonesia of 2003 Number 47, Supplement to the State Gazette of the Republic of Indonesia Number 4286);
5. Law Number 1 of 2004 on State Treasury (State Gazette of the Republic of Indonesia of 2004 Number 5, Supplement to the State Gazette of the Republic of Indonesia Number 4355);
6. Law Number 39 of 2008 on State Ministries (State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to the State Gazette of the Republic of Indonesia Number 4916) as amended by Law

- Number 61 of 2024 on the Amendment to Law Number 39 of 2008 on State Ministries (State Gazette of the Republic of Indonesia of 2024 Number 225, Supplement to the State Gazette of the Republic of Indonesia Number 6994);
7. Law Number 9 of 2018 on Non-Tax State Revenue (State Gazette of the Republic of Indonesia of 2018 Number 147, Supplement to the State Gazette of the Republic of Indonesia Number 6245);
  8. Law Number 1 of 2022 on Financial Relations between the Central Government and Regional Governments (State Gazette of the Republic of Indonesia of 2022 Number 4, Supplement to the State Gazette of the Republic of Indonesia Number 6757);
  9. Regulation of the Government Number 35 of 2004 on Upstream Oil-and-Gas Business Activities (State Gazette of the Republic of Indonesia of 2004 Number 123, Supplement to the State Gazette of the Republic of Indonesia Number 4435) as amended several times, most recently by Regulation of the Government Number 55 of 2009 on the Second Amendment to Regulation of the Government Number 35 of 2004 on Upstream Oil-and-Gas Business Activities (State Gazette of the Republic of Indonesia of 2009 Number 128, Supplement to the State Gazette of the Republic of Indonesia Number 5047);
  10. Regulation of the Government Number 79 of 2010 on the Refundable Operational Cost and Income Tax Treatment in the Upstream Oil-and-Gas Business Sector (State Gazette of the Republic of Indonesia of 2010 Number 139, Supplement to the State Gazette of the Republic of Indonesia Number 5173) as amended several times, most recently by Regulation of the Government Number 27 of 2017 on the Amendment to Regulation of the Government Number 79 of 2010 on the Refundable Operational Cost and Income Tax Treatment in the Upstream Oil-and-Gas Business Sector (State Gazette of the Republic of Indonesia of 2017 Number 118, Supplement to the State Gazette of the Republic of Indonesia Number 6066);
  11. Regulation of the Government Number 23 of 2015 on the Joint Management of Oil-and-Gas Natural Resources in Aceh (State Gazette of the Republic of Indonesia of 2015 Number 99, Supplement to the State Gazette of the Republic of Indonesia Number 5696);
  12. Regulation of the Government Number 4 of 2023 on the Collection of Tax on Certain Goods and Services for Electricity (State Gazette of the Republic of Indonesia of 2023 Number 17, Supplement to the State Gazette of the Republic of Indonesia Number 6848);
  13. Regulation of the Government Number 35 of 2023 on General Provisions on Regional Taxes and Levies (State Gazette of the Republic of Indonesia of 2023 Number 85, Supplement to the State Gazette of the Republic of Indonesia Number 6881);
  14. Regulation of the President Number 95 of 2012 on the Transfer of the Implementation of Duties and Functions of Upstream Oil-and-Gas Business Activities (State Gazette of the Republic of Indonesia of 2012 Number 226);
  15. Regulation of the President Number 9 of 2013 on the Management of Upstream Oil-and-Gas Business Activities (State Gazette of the Republic of Indonesia of 2013 Number 24) as amended several times, most recently by Regulation of the President Number 36 of 2018 on the Amendment to Regulation of the President Number 9 of 2013 on the Management of Upstream Oil-and-Gas Business Activities (State Gazette of the Republic of Indonesia of 2018 Number 62);
  16. Regulation of the President Number 158 of 2024 on the Ministry of Finance (State Gazette of the Republic of Indonesia of 2024 Number 354);
  17. Regulation of the Minister of Finance Number 225/PMK.05/2020 on the Electronic State Revenue System (Official Gazette of the Republic of Indonesia of 2020 Number 1676) as amended by Regulation of the Minister of Finance Number 213/PMK.05/2022 on the Amendment to Regulation of the Minister of Finance Number 225/PMK.05/2020 on the Electronic State Revenue System (Official Gazette of the Republic of Indonesia of 2022 Number 1356);

18. Regulation of the Minister of Finance Number 212/PMK.02/2021 on the Oil-and-Gas Account (Official Gazette of the Republic of Indonesia of 2021 Number 1510);
19. Regulation of the Minister of Finance Number 124 of 2024 on the Organization and Work Procedures of the Ministry of Finance (Official Gazette of the Republic of Indonesia of 2024 Number 1063).

HAS DECIDED:

To establish:

**REGULATION OF THE MINISTER OF FINANCE ON PROCEDURES FOR THE PAYMENT OF INVOICES TO THE GOVERNMENT FOR UPSTREAM OIL-AND-GAS BUSINESS ACTIVITIES.**

## **CHAPTER I GENERAL PROVISIONS**

### **Article 1**

Under this Regulation of the Minister, the following definitions are employed:

1. Special Taskforce for Upstream Oil-and-Gas Business Activities (Satuan Kerja Khusus Pelaksana Kegiatan Usaha Hulu Minyak dan Gas Bumi), from this point onward is referred to as SKK Migas, is a special work unit which implements the management of upstream oil-and-gas business activities under the development, coordination, and supervision of the Minister of Energy and Mineral Resources.
2. Aceh Oil-and-Gas Management Agency (Badan Pengelola Migas Aceh), from this point onward is referred to as BPMA, is a Government agency established in accordance with Regulation of the Government Number 23 of 2015 on the Joint Management of Oil-and-Gas Resources in Aceh to undertake joint management and control of upstream business activities in the oil-and-gas sector located on land and at sea within the jurisdiction of Aceh (0 to 12 nautical miles).
3. Cooperation Contract is a production sharing contract or any other form of cooperation contract in exploration and exploitation activities that are more profitable for the State, the result of which is utilized for the greatest prosperity of the people.
4. Contractor is a business entity or permanent establishment determined to conduct exploration and exploitation in a Work Area based on a Cooperation Contract with SKK Migas or BPMA in accordance with the provisions of laws and regulations.
5. Business Entity is a business entity appointed as a seller of state share of oil and/or gas.
6. Work Area is a certain area within the mining jurisdiction of Indonesia for the implementation of exploration and exploitation.
7. Unitization is the joint management by a Contractor in the oil-and-gas field proven to have reservoirs located in two or more Work Areas with different Cooperation Contracts to carry out the development and commercial production of oil-and-gas from a given field based on the approval of the Minister in charge of the energy and mineral resources sector in accordance with the provisions of laws and regulations.
8. Unitization Implementing Operator is one of the Contractors determined by the Minister in charge of the energy and mineral resources sector in accordance with the provisions of laws and regulations to implement the development and production of commercial oil and/or gas from the determined unitization field.

9. First Tranche Petroleum, from this point onward is referred to as FTP, is a certain amount of crude oil and/or natural gas produced from a Work Area in one calendar year, which may be taken and received by SKK Migas or BPMA and/or Contractor/Unitization Implementing Operator in each calendar year, before deducting the reimbursement of operation and production costs (own use).
10. Value-Added Tax or Value-Added Tax and Luxury Goods Sales Tax (Pajak Pertambahan Nilai atau Pajak Pertambahan Nilai dan Pajak Penjualan atas Barang Mewah), from this point onward is referred to as PPN or PPN and PPnBM, is a tax imposed based on Law Number 8 of 1983 on Value-Added Tax on Goods and Services and Luxury Goods Sales Tax as amended several times, most recently by Law Number 6 of 2023 on the Stipulation of Regulation of the Government in Lieu of Law Number 2 of 2022 on Job Creation into Law.
11. Reimbursement of PPN or PPN and PPnBM is the refund of PPN or PPN and PPnBM for the acquisition of taxable goods and/or taxable service to the Contractor/Unitization Implementing Operator for PPN or PPN and PPnBM which has been paid to the state treasury in accordance with a cooperation contract signed prior to the coming into force of Regulation of the Government Number 79 of 2010 on the Refundable Operational Cost and Income Tax Treatment in the Upstream Oil-and-Gas Business Sector as amended by Regulation of the Government Number 27 of 2017 on the Amendment to Regulation of the Government Number 79 of 2010 on the Refundable Operational Cost and Income Tax Treatment in the Upstream Oil-and-Gas Business Sector as well as the provisions of laws and regulations.
12. Regional Tax, from this point onward is referred to as Tax, is a mandatory contribution to the Region which is payable by an individual or entity which is coercive in nature based on the Law, without obtaining any direct compensation and is used for the needs of the Region for the greatest prosperity of the people.
13. Surface Water Tax (Pajak Air Permukaan), from this point onward is referred to as PAP, is a tax on the extraction and/or utilization of Surface Water.
14. Surface Water is all water contained on the ground surface.
15. Groundwater Tax (Pajak Air Tanah), from this point onward is referred to as PAT, is a tax on the extraction and/or utilization of Groundwater.
16. Groundwater is water contained in layers of soil or rock below the surface of the land.
17. Tax on Certain Goods and Services for Electricity, from this point onward is referred to as PBJT for Electricity, is a tax paid by the end consumer for electricity consumption.
18. Electricity is power or energy produced by a power plant which is distributed for various electrical equipment.
19. Domestic Market Obligation, from this point onward is referred to as DMO, is the obligation to hand over the Contractor share in the form of oil and/or gas to meet domestic needs.
20. DMO Fee is a fee which is paid by the Government to the Contractor for the handover of oil and/or gas in order to fulfill domestic needs by using the price determined by the Minister whose duties and responsibilities include oil-and-gas business activities.
21. Lifting is a certain amount of crude oil and/or natural gas which is sold or shared at the custody transfer point.
22. Contractor Over-Lifting is the excess of oil and/or gas extraction by a Contractor compared to their rights as regulated in the Cooperation Contract for a certain period.
23. Contractor Under-Lifting is the shortage of oil and/or gas extraction by a Contractor compared to its rights regulated in the Cooperation Contract for a certain period.
24. Fee is a fee given to a Business Entity as a seller of state oil and/or gas.
25. State Revenue Transaction Number (Nomor Transaksi Penerimaan Negara), from this point onward is

referred to as NTPN, is the receipt number of payment/deposit to the state treasury which is printed on the proof of state revenue issued by the settlement system.

26. Bank Transaction Number (Nomor Transaksi Bank), from this point onward is referred to as NTB, is the number of the state revenue deposit transaction proof issued by a bank as a perception bank.
27. Postal Transaction Number (Nomor Transaksi Pos), from this point onward is referred to as NTP, is the number of the state revenue deposit transaction proof issued by a post office as a perception post.
28. Equity to be Split, from this point onward is referred to as Equity, is the result of production available to be shared between SKK Migas or BPMA and Contractors/Unitization Implementing Operator after deducting FTP, investment incentives (if any), and reimbursement of operational costs.
29. Regional Regulation (Peraturan Daerah), from this point onwards is referred to as Perda or referred to by any other name, is Provincial Perda or Regency/City Perda.
30. Regulation of the Head of the Region (Peraturan Kepala Daerah), from this point onwards is referred to as Perkada, is regulation of the governor and regulation of the regent/mayor.
31. Other BI Account of Oil-and-Gas Revenue and Expenditure Number 600000411980 at Bank Indonesia, from this point onward is referred to as Oil-and-Gas Account, is the account denominated in United States dollars (USD) to accommodate revenue and pay expenditure relating to upstream oil-and-gas business activities.

## **Article 2**

- (1) This Regulation of the Minister shall regulate procedures for the payment of invoices to the Government for upstream oil-and-gas business activities.
- (2) The payment of invoices to the Government for upstream oil-and-gas business activities as referred to in paragraph (1) shall include:
  - a. Reimbursement of PPN or PPN and PPnBM to Contractors;
  - b. Payment of DMO Fees and/or Contractor Under-Lifting to Contractors;
  - c. Payment of Fees for the Sale of State Oil and/or Gas to Business Entities; and
  - d. Payment of PAP, PAT, and PBJT for Electricity to Regional Governments.

## **CHAPTER II**

### **PROCEDURES FOR THE SETTLEMENT OF INVOICES FOR THE REIMBURSEMENT OF VALUE-ADDED TAX OR VALUE-ADDED TAX AND LUXURY-GOODS SALES TAX**

#### **Division One**

#### **General**

## **Article 3**

- (1) Contractors/Unitization Implementing Operators that operate Work Areas have the right to obtain the Reimbursement of PPN or PPN and PPnBM for the acquisition of taxable goods and/or taxable services.
- (2) The right to obtain the Reimbursement of PPN or PPN and PPnBM as referred to in paragraph (1) may be proposed by the Contractor/Unitization Implementing Operator after the state share deposit is received in



the state treasury account.

- (3) Submission of the right to obtain the Reimbursement of PPN or PPN and PPnBM as referred to in paragraph (2) shall be no later than 5 (five) years from the end of the Cooperation Contract.
- (4) The state share as referred to in paragraph (2) shall be in the form of FTP and/or Equity deposits from the Contractor/Unitization Implementing Operator as regulated in the Cooperation Contract.
- (5) The amount of submission of the Reimbursement of PPN or PPN and PPnBM shall not exceed the state share which has been deposited by the Contractor/Unitization Implementing Operator as referred to in paragraph (2).
- (6) In the event that the Cooperation Contract regulates the Reimbursement of PPN or PPN and PPnBM using the state share excluding FTP, the Reimbursement value of PPN or PPN and PPnBM to the Contractor/Unitization Implementing Operator shall be no more than the Equity.

#### Article 4

- (1) In the event that the regulation of the right of the Contractor/Unitization Implementing Operator to obtain the Reimbursement of PPN or PPN and PPnBM as referred to in Article 3 is regulated differently by the Cooperation Contract, the implementation of the Reimbursement of PPN or PPN and PPnBM shall be implemented in accordance with the Cooperation Contract.
- (2) The regulation of the right of the Unitization Implementing Operator to obtain the Reimbursement of PPN or PPN and PPnBM shall be adjusted to the Cooperation Contract from two or more work areas that conduct Unitization Cooperation.

#### Division Two

#### Invoices for a Request for the Reimbursement of Value-Added Tax or Value-Added Tax and Luxury Goods Sales Tax

#### Article 5

- (1) The Contractor/Unitization Implementing Operator as referred to in Article 3 paragraph (1) shall submit an invoice of the request for the Reimbursement of PPN or PPN and PPnBM to the Head of SKK Migas or Head of BPMA through the lower-level official in charge of financial affairs for the amount of PPN or PPN and PPnBM which has been deposited to the state treasury through a perception bank/perception post.
- (2) PPN or PPN and PPnBM as referred to in paragraph (1) shall be non-refundable for expenditure for:
  - a. PPN or PPN and PPnBM exempted in accordance with the provisions of laws and regulations on the import and/or handover of taxable goods and/or taxable services;
  - b. PPN or PPN and PPnBM payable for the operational cost of Liquefied Natural Gas refinery as further gas processing activity until its sale unless otherwise regulated in the Cooperation Contract and/or the provisions and/or laws and regulations; and/or
  - c. PPN or PPN and PPnBM on the procurement of goods and/or services that may not be charged in the operational cost in accordance with the provisions of laws and regulations.
- (3) The invoice of request for the Reimbursement of PPN or PPN and PPnBM as referred to in paragraph (1), in the event that PPN or PPN and PPnBM is collected by the Contractor/Unitization Implementing Operator, shall be accompanied by the documents at least in the form of:
  - a. Proof of State Revenue and confirmation of state revenue issued by the local State Treasury

Service Office in the form of NTPN/NTB/NTP in the event that the deposit is made after the implementation of Generation-2 State Revenue Module or in 2015 and thereafter;

- b. Proof of State Revenue and confirmation of state revenue issued by the local State Treasury Service Office in the form of NTPN/NTB/NTP as well as complemented with confirmation of data between the State Treasury Service Office and the Directorate of Treasury Information System and Technology, in the event that the deposit is made from 2008 until 2015;
  - c. Confirmation letter from a perception bank/perception post which at least contains the billing code/NTPN/NTB/NTP as well as complemented with the Statement of Absolute Responsibility by the Contractor/Unitization Implementing Operator, in the event that the deposit is made before 2008; and
  - d. Fiscal Certificate.
- (4) The invoice of request for the Reimbursement of PPN or PPN and PPnBM as referred to in paragraph (1), in the event that the collection of PPN or PPN and PPnBM is not conducted by the Contractor/Unitization Implementing Operator, shall be completed with the documents at least in the form of:
- a. Original Tax Invoice and/or certain documents equivalent to the Tax Invoice which have been affixed with the stamp of "deposited on..." and validated by the Contractor/Unitization Implementing Operator;
  - b. Fiscal Certificate.
- (5) The Fiscal Certificate as referred to in paragraph (3) letter d and paragraph (4) letter b is a letter issued by the Director-General of Tax which contains information on the fulfillment of tax obligations of Taxpayers/Contractors/Unitization Implementing Operators for certain tax periods and tax years.
- (6) The invoice of request for the Reimbursement of PPN or PPN and PPnBM as referred to in paragraph (3) and paragraph (4) shall be submitted to the Head of SKK Migas or Head of BPMA through the lower-level official in charge of financial affairs for verification in accordance with the authority.
- (7) In addition to the verification of the invoice of request for the Reimbursement of PPN or PPN and PPnBM as referred to in paragraph (6), SKK Migas or BPMA shall calculate the payment in question with:
- a. the excess of the Reimbursement of PPN or PPN and PPnBM for the previous period;
  - b. the due Contractor Over-Lifting value; and/or
  - c. the value of other obligations from upstream oil-and-gas business activities and/or supporting activities for the implementation of upstream oil-and-gas business activities that have been determined and/or obtained approval from the Minister of Finance, as long as there is an agreement in accordance with the provisions of laws and regulations or has been approved/agreed upon in the document of agreement/contract/acknowledgement of debt.
- (8) The exchange rate used in the settlement of invoice of the Reimbursement of PPN or PPN and PPnBM calculated with the due Contractor Over-Lifting value as referred to in paragraph (7) letter b shall use the exchange rate in accordance with the Regulation of Bank Indonesia.
- (9) In order to conduct verification as referred to in paragraph (6), SKK Migas or BPMA shall:
- a. conduct research to ascertain the existence of PPN or PPN and PPnBM deposits based on the Tax Payment Slip which has been validated by a perception bank/perception post and ensure the existence of a Fiscal Certificate from the Directorate-General of Tax, for PPN or PPN and PPnBM collected by the Contractor; and
  - b. request confirmation of the reporting of the Tax Invoice or certain documents equivalent to the Tax Invoice to the Directorate-General of Tax and ensure the existence of a Fiscal Certificate from the Directorate-General of Tax, for PPN or PPN and PPnBM not collected by the Contractor.

### Article 6

- (1) Based on the request for confirmation as referred to in Article 5 paragraph (9) letter b, the Directorate-General of Tax shall provide a reply to the SKK Migas or BPMA within a maximum period of 20 (twenty) business days from the date of receipt of the request for confirmation under the following conditions:
  - a. upon the request for confirmation in relation to Tax Invoices which have been made since 2007, a confirmation reply shall be provided electronically; and
  - b. upon the request for confirmation in relation to Tax Invoices which were made prior to 2007, a confirmation reply shall be provided non-electronically.
- (2) If within the period as referred to in paragraph (1) the reply to the confirmation of reporting of the Tax Invoice or certain documents equivalent to the Tax Invoice have not been completely received by SKK Migas or BPMA, the Reimbursement of PPN or PPN and PPnBM shall only be processed based on the reply to confirmation of the Tax Invoice or certain documents equivalent to the Tax Invoice from Directorate-General of Tax.
- (3) In the event that:
  - a. the request for confirmation within the period as referred to in paragraph (1) has not been partially or completely replied to, the Directorate-General of Tax shall submit a written explanation to SKK Migas or BPMA no later than 5 (five) business days after the 20 (twenty) business days period as referred to in paragraph (1) is exceeded; or
  - b. the result of confirmation of the request for confirmation as referred to in paragraph (1) states that the Tax Invoice or certain documents equivalent to the Tax Invoice are not found, SKK Migas or BPMA may conduct the examination on purchase invoices or expenditure proofs which contain PPN or PPN and PPnBM values and in relation to the Tax Invoice or certain documents equivalent to the Tax Invoice in question.
- (4) Examination of purchase invoices or expenditure proofs containing PPN or PPN and PPnBM values and those relating to the Tax Invoice or certain documents equivalent to the Tax Invoice as referred to in paragraph (3) letter b may be limited to Tax Invoices or certain documents equivalent to Tax Invoices made prior to 2007.
- (5) In order to implement the confirmation as referred to in paragraph (1), SKK Migas or BPMA with the Directorate-General of Tax and the Directorate-General of Budget may jointly coordinate.
- (6) The result of joint coordination as referred to in paragraph (5) shall be set forth in an official report.

### Article 7

- (1) In the event that based on the verification results, the provisions as referred to in Article 5 have been fulfilled, the Head of SKK Migas or Head of BPMA through the lower-level official whose duties and functions carry out affairs in the financial sector shall submit the invoice of request for the Reimbursement of PPN or PPN and PPnBM to the Director-General of Budget.
- (2) In the event that based on the verification results as referred to in Article 5 it is not fulfilled, the Head of SKK Migas or Head of BPMA through the lower-level official whose duties and functions carry out affairs in the financial sector shall submit the Reimbursement of PPN or PPN and PPnBM to the Contractor/Unitization Implementing Operator as set out in the official report.
- (3) Any invoice of the request for the Reimbursement of PPN or PPN and PPnBM which based on the verification results has not been fulfilled, may be resubmitted after correction by complying with the provisions as referred to in Article 5.



- (4) The invoice of Request for the Reimbursement of PPN or PPN and PPnBM as referred to in paragraph (1) shall be accompanied by data containing information in the form of:
- the amount of request for the Reimbursement of PPN or PPN and PPnBM for each Contractor/Unitization Implementing Operator;
  - name and bank account number of the beneficiary of each Contractor/Unitization Receiving Operator;
  - the amount of state share which has been received for each Work Area/Unitization Field;
  - list of NTPN in accordance with the Tax Invoice or certain documents equivalent to the Tax Invoice for which payment is requested;
  - other relevant supporting documents, if necessary, in accordance with the submitted invoice; and
  - recommendation for the settlement of other obligations of upstream oil-and-gas business activities and/or supporting activities for the implementation of upstream oil-and-gas business activities that have been determined by and/or obtained approval from the Minister of Finance.

### **Article 8**

Procedures for the submission of the invoice of request for the Reimbursement of PPN or PPN and PPnBM from the Contractor/Unitization Implementing Operator to the Head of SKK Migas or Head of BPMA shall be stipulated by the Head of SKK Migas or Head of BPMA through the lower-level official in charge of financial affairs in accordance with the provisions laws and regulations.

### **Division Three**

## **Settlement of the Invoice of Request for the Reimbursement of Value-Added Tax or Value-Added Tax and Luxury Goods Sales Tax**

### **Article 9**

- (1) For the invoice of request for the Reimbursement of PPN or PPN and PPnBM as referred to in Article 7, the Directorate-General of Budget shall examine:
- conformity of the Reimbursement of PPN or PPN and PPnBM as referred to in Article 7 paragraph (1);
  - completeness of data in the form of information as referred to in Article 7 paragraph (4);
  - comparison between the amount of request for the Reimbursement of PPN or PPN and PPnBM and the deposit of state share as referred to in Article 3 paragraph (4);
  - accuracy of mathematical calculation of the Reimbursement value of PPN or PPN and PPnBM;
  - settlement of the due balance of obligation of Contractor Over-Lifting; and
  - recommendation of SKK Migas or BPMA for the settlement of other obligation values from upstream oil-and-gas business activities and/or supporting activities for the implementation of upstream oil-and-gas business activities which have been determined by and/or obtained approval from the Minister of Finance.
- (2) In the event that based on the examination results, the payment request documents as referred to in paragraph (1) have been fulfilled, the examination results shall be set forth in an examination result sheet of the Directorate-General of Budget.

- (3) If necessary, the Directorate-General of Budget may carry out a confirmation to SKK Migas or BPMA for the documents of payment request invoice as referred to in paragraph (1).
- (4) The confirmation results as referred to in paragraph (3) shall be set forth in an official report.
- (5) In the event that based on:
  - a. the examination results, the documents of payment request invoice as referred to in paragraph (1) are not fulfilled; or
  - b. the official report on confirmation as referred to in paragraph (4), the documents of payment request invoice are not fulfilled,the Directorate-General of Budget may not process any invoice of request for the Reimbursement of PPN or PPN and PPnBM any further.
- (6) In the event that the invoice of request for the Reimbursement of PPN or PPN and PPnBM may not be processed any further, the Director-General of Budget shall deliver the reimbursement letter to the Head of SKK Migas or Head of BPMA.
- (7) The invoice of request for the Reimbursement of PPN or PPN and PPnBM which may not be processed any further as referred to in paragraph (5) and paragraph (6) may be resubmitted after correction by complying with procedures for the request for the Reimbursement of PPN or PPN and PPnBM as regulated in this Regulation of the Minister.
- (8) In the event that based on the examination result sheet as referred to in paragraph (2) or the official report on confirmation as referred to in paragraph (4), the payment request documents have been fulfilled, the Director-General of Budget shall process them further by submitting the payment request to the Director-General of Treasury.
- (9) The payment request as referred to in paragraph (8) shall be enclosed with a list of NTPN in accordance with the Tax Invoice or certain documents equivalent to the Tax Invoice.
- (10) Processing of the settlement of the invoice of request for the Reimbursement of PPN or PPN and PPnBM submitted by SKK Migas or BPMA shall be carried out by the Directorate-General of Budget within a maximum period of 15 (fifteen) business days from the receipt of complete documents.

### **CHAPTER III**

## **PROCEDURES FOR THE SETTLEMENT OF INVOICES OF THE PAYMENT OF DOMESTIC MARKET OBLIGATION FEES AND/OR CONTRACTOR UNDER-LIFTING**

### **Division One**

#### **General**

#### **Article 10**

- (1) Contractors shall implement the DMO as regulated in the Cooperation Contract.
- (2) Upon the implementation of DMO as referred to in paragraph (1), the Contractor is entitled to receive DMO Fees.
- (3) The value of the DMO Fee of the Contractor for a certain period shall be obtained through a calculation conducted by SKK Migas or BPMA.

#### **Article 11**

- (1) The DMO Fee of the Contractor as referred to in Article 10 paragraph (3) shall be paid by SKK Migas or BPMA which is implemented through the Ministry of Finance c.q. Directorate-General of Budget.
- (2) Implementation of the payment as referred to in paragraph (1) shall be based on a request from SKK Migas or BPMA.
- (3) The payment of the DMO Fee as referred to in paragraph (2) shall use the funds from the Oil-and-Gas Account.

#### **Article 12**

- (1) SKK Migas or BPMA shall calculate lifting which is the state's right and the Contractor's right from each Work Area for a certain period in accordance with the Cooperation Contract.
- (2) The calculation results of lifting which is the state's right and the Contractor's right as referred to in paragraph (1) may be in the form of Over Lifting or Under Lifting value.

#### **Article 13**

- (1) In the event of Contractor Over-Lifting, SKK Migas or BPMA shall immediately submit a collection of the said Contractor Over-Lifting value to the Contractor.
- (2) Upon the collection of the Contractor-Over Lifting value as referred to in paragraph (1), the Contractor shall immediately deposit it to the Oil-and-Gas Account.
- (3) In the event of Contractor Under-Lifting, SKK Migas or BPMA shall immediately pay the said Contractor Under-Lifting value to the Contractor.
- (4) Implementation of the payment as referred to in paragraph (3) shall be through the Ministry of Finance based on the request from SKK Migas or BPMA.
- (5) The payment of the Contractor Under-Lifting value as referred to in paragraph (4) shall use funds from the Oil-and-Gas Account.

#### **Article 14**

- (1) In order to calculate the value of the DMO Fee of the Contractor for a certain period as referred to in Article 10 paragraph (3), the Head of SKK Migas or Head of BPMA through the lower-level official whose duties and functions carry out affairs in the financial sector shall formulate provisions that regulate procedures for the calculation and procedures for the payment of the DMO Fee of the Contractor.
- (2) In order to calculate the Contractor Over-Lifting value as referred to in Article 13 paragraph (2) and the Contractor Under-Lifting value as referred to in Article 13 paragraph (3), the Head of SKK Migas or Head of BPMA through the lower-level official whose duties and functions carry out affairs in the financial sector shall formulate provisions that regulate procedures for the calculation and procedures for the collection of Contractor Over-Lifting as well as procedures for the calculation and procedures for the request for payment of the Contractor Under-Lifting value.

#### **Division Two**

#### **Invoice of the Request for the Payment of the Domestic Market Obligation Fee and/or Contractor Under-Lifting**

**Article 15**

- (1) The invoice of request for the payment of DMO Fee of the Contractor as referred to in Article 11 paragraph (2) and the invoice of payment of the Contractor Under-Lifting value as referred to in Article 13 paragraph (4) shall be submitted by the Head of SKK Migas or Head of BPMA through the lower-level official whose duties and functions carry out affairs in the financial sector to the Director-General of Budget.
- (2) The invoice of request for the payment of DMO Fee of the Contractor and request for the payment of the Contractor Under-Lifting value as referred to in paragraph (1) shall at least be completed with the verification work paper, name, and account number of the relevant Contractor.

**Article 16**

- (1) In order to submit the invoice of request for the payment of DMO Fee of the Contractor to the Directorate-General of Budget as referred to in Article 15 paragraph (1), SKK Migas or BPMA may calculate the payment in question with:
  - a. the value of the overpayment of the DMO Fee for the previous period;
  - b. the due Contractor Over-Lifting value;
  - c. the excess Reimbursement value of PPN or PPN and PPnBM to the Contractor; and/or
  - d. the value of other obligations from upstream oil-and-gas business activities and/or supporting activities for the implementation of upstream oil-and-gas business activities that have been determined by and/or have obtained approval from the Minister of Finance, as long as there is an agreement in accordance with the provisions of laws and regulations or has been approved/agreed upon in the document of an agreement/contract/acknowledgement of debt.
- (2) In order to submit the invoice of request for the payment of the Contractor Under-Lifting value to the Directorate-General of Budget as referred to in Article 15 paragraph (1), SKK Migas or BPMA may calculate the payment in question with:
  - a. the obligation of the Contractor Over-Lifting value;
  - b. the value of the overpayment of the DMO Fee for the previous period;
  - c. the excess Reimbursement value of PPN or PPN and PPnBM to the Contractor; and/or
  - d. the value of other obligations from upstream oil-and-gas business activities and/or supporting activities for the implementation of upstream oil-and-gas business activities that have been determined by and/or have obtained approval from the Minister of Finance, as long as there is an agreement in accordance with the provisions of laws and regulations or has been approved/agreed upon in the document of an agreement/contract/acknowledgement of debt.

**Division Three****Settlement of the Invoice of a Request for the Payment of the Domestic Market Obligation Fee and/or Contractor Under-Lifting****Article 17**

- (1) For the settlement of the invoice of a request for the payment of DMO Fee and/or Contractor Under-Lifting as referred to in Article 15 paragraph (1), the Directorate-General of Budget may take into account the obligations of the Government to the Contractor with the obligations of PT Pertamina (Persero) and/or its

subsidiaries in the implementation of upstream oil-and-gas business activities and/or supporting activities for the implementation of upstream oil-and-gas business activities to the Government.

- (2) The Contractor as referred to in paragraph (1) is a Contractor with the following criteria:
  - a. part or all of its shares are owned directly or indirectly by PT Pertamina (Persero); and
  - b. acting as an operator within a Work Area for upstream oil-and-gas business.
- (3) In the event that the Cooperation Contract for the said Work Area is signed by the Government and several Contractors, the Contractor acting as the operator in the Work Area for upstream oil-and-gas business as referred to in paragraph (2) letter b shall be the Contractor appointed by the Government as a party in charge of managing the Work Area for upstream oil-and-gas business.
- (4) The amount of DMO Fee and/or Contractor Under-Lifting which may be calculated by the Government for the Contractor as referred to in paragraph (1) shall refer to the amount set out in the Cooperation Contract of each Contractor and shall be at a maximum of the participating interest of the Contractor concerned in the Work Area for upstream oil-and-gas business.
- (5) The participating interest as referred to in paragraph (4) is the amount of the Contractor's right in the Work Area for upstream oil-and-gas business based on the ownership percentage in accordance with the Cooperation Contract.
- (6) The obligations of PT Pertamina (Persero) and/or its subsidiaries as referred to in paragraph (1) shall not include the obligation of the state crude oil condensate which is deposited into the State Treasury Account.

#### **Article 18**

- (1) In order to process the invoice of request for the payment of DMO Fee of the Contractor and/or request for the payment of the Contractor Under-Lifting value as referred to in Article 15, the Directorate-General of Budget shall examine:
  - a. conformity of the payment request document of the DMO Fee and/or Under-Lifting value as referred to in Article 15 paragraph (1);
  - b. completeness of the payment request document of DMO Fee of the Contractor and/or Under-Lifting value as referred to in Article 15 paragraph (2);
  - c. accuracy of mathematical calculations on the value of DMO Fee of the Contractor and/or the Contractor Under-Lifting value;
  - d. settlement of the due balance of the obligation of Contractor Over-Lifting; and
  - e. recommendation of SKK Migas or BPMA for the settlement of other obligation values from upstream oil-and-gas business activities and/or supporting activities for the implementation of upstream oil-and-gas business activities which have been determined by and/or have obtained approval from the Minister of Finance.
- (2) In the event that based on the examination results, the invoice of request for the payment as referred to in paragraph (1) has been fulfilled, the examination results shall be set forth in a sheet of examination results of the Directorate-General of Budget.
- (3) If necessary, the Directorate-General of Budget may carry out a confirmation to SKK Migas or BPMA for the payment request invoice documents as referred to in paragraph (1).
- (4) The confirmation results as referred to in paragraph (3) shall be set forth in an official report.
- (5) In the event that based on:
  - a. the examination results, the payment request invoice document as referred to in paragraph (1) is



not fulfilled; or

- b. the official report on confirmation as referred to in paragraph (4), the payment request invoice document is not fulfilled,

the Directorate-General of Budget may not process the request for the payment of DMO Fee of the Contractor and/or the Contractor Under-Lifting value any further.

- (6) In the event that the request for the payment of DMO Fee of the Contractor and/or the request for the payment of the Contractor Under-Lifting value may not be processed any further, the Director-General of Budget shall submit a return letter to the Head of SKK Migas or Head of BPMA.
- (7) The process of the invoice of request for the payment of DMO Fee of the Contractor and/or request for the payment of the Contractor Under-Lifting value which may not be processed any further as referred to in paragraph (5) and paragraph (6) may be resubmitted after correction by complying with procedures for the request for the payment of DMO Fee of the Contractor and/or request for the payment of the Contractor Under-Lifting value as regulated in this Regulation of the Minister.
- (8) If based on the examination sheet as referred to in paragraph (2) or the official report on confirmation as referred to in paragraph (4), the payment request document has been fulfilled, the Director-General of Budget shall process it further by submitting the payment request to the Director-General of Treasury.
- (9) The settlement process for the invoice of request for the payment of DMO Fee of the Contractor and/or request for the payment of the Contractor Under-Lifting value submitted by SKK Migas or BPMA shall be carried out by the Directorate-General of Budget within a maximum period of 10 (ten) business days from the receipt of complete documents.

## **CHAPTER IV**

### **PROCEDURES FOR THE SETTLEMENT OF INVOICES OF THE PAYMENT OF FEE FOR THE SALE OF OIL AND/OR GAS OF STATE SHARE**

#### **Division One**

##### **General**

#### **Article 19**

- (1) In order to sell oil and/or gas of the state share originating from a work area, the Head of SKK Migas or Head of BPMA may appoint a Business Entity as the seller in accordance with the provisions of laws and regulations.
- (2) The Business Entity as referred to in paragraph (1) shall be granted a Fee.
- (3) The Fee as referred to in paragraph (2) shall be charged to the state from the proceeds of the sale of oil and/or gas.

#### **Article 20**

The Fee as referred to in Article 19 paragraph (2) shall be calculated based on the formula and criteria determined by the Minister who organizes affairs in the energy and mineral resources sector.

#### **Division Two**

**Invoice of the Request for the Payment of Fees for the Sale of Oil and/or Gas of State Share****Article 21**

- (1) The Business Entity shall submit the invoice for Fee as referred to in Article 19 paragraph (2) to the Head of SKK Migas or Head of BPMA.
- (2) The invoice as referred to in paragraph (1) shall be submitted at least on a quarterly basis.
- (3) The invoice as referred to in paragraph (1) shall contain the calculation of the Fee and the Value-Added Tax component.

**Article 22**

- (1) Based on the invoice as referred to in Article 21, SKK Migas or BPMA shall verify the fairness and correctness of the Fee in accordance with the formula and criteria as referred to in Article 20.
- (2) Verification as referred to in paragraph (1) shall be conducted jointly by the Business Entity and the Minister who organizes affairs in the energy and mineral resources sector.
- (3) The verification results as referred to in paragraph (2) shall be set forth in an official report.
- (4) Verification as referred to in paragraph (1) shall be settled within a maximum period of 7 (seven) business days after the invoice is received completely and correctly.

**Article 23**

- (1) Based on the verification results as referred to in Article 22, the Head of SKK Migas or Head of BPMA through the lower-level official whose duties and functions carry out affairs in the financial sector shall submit the invoice of the request for the payment of Fees to the Director-General of Budget.
- (2) The invoice of the request for the payment of Fees as referred to in paragraph (1) shall be accompanied by the following supporting documents:
  - a. invoice of the Business Entity to the Head of SKK Migas or Head of BPMA;
  - b. worksheets on the verification of Fee calculation, which are broken down per KKKS and per Work Area;
  - c. verification report;
  - d. name and bank account number of the beneficiary;
  - e. Decree of the Minister who organizes affairs in the energy and mineral resources sector on the formula and criteria for Fees;
  - f. agreement on the appointment of the seller with the Business Entity; and
  - g. other relevant supporting documents, if necessary, in accordance with the submitted invoice, among other things, information/report on the progress of the follow-up/settlement of the results of the examination of the Financial Audit Agency (BPK) in relation to Fees.
- (3) The invoice for the request for payment as referred to in paragraph (1) shall be submitted no later than 7 (seven) business days from the date the official report as referred to in Article 22 paragraph (3) is signed.

**Article 24**

In the event that the Business Entity has an obligation for deposit from the sale of oil and/or gas from the state, SKK Migas or BPMA shall take into account the obligation of the Business Entity in the invoice of the request for the payment of Fees as referred to in Article 23 paragraph (1).

### **Division Three**

#### **Settlement of Invoices of the Request for the Payment of Fees for the Sale of Oil and/or Gas of State Share**

##### **Article 25**

- (1) Based on the invoice of the request for the payment of Fees submitted by the Head of SKK Migas or Head of BPMA as referred to in Article 23, the Directorate-General of Budget shall examine:
  - a. completeness of the documents as referred to in Article 23 paragraph (2);
  - b. conformity of the formula and criteria for the calculation of Fees as referred to in Article 20;
  - c. the amount of sales volume of oil and/or gas of state share; and
  - d. information/report on the progress of the follow-up/settlement in the event that there is an examination result of the Financial Audit Agency in relation to Fees.
- (2) In the event that based on the examination results, the invoice of the request for payment as referred to in paragraph (1) has been fulfilled, the examination results shall be set forth in a sheet of the examination results of the Directorate-General of Budget.
- (3) If necessary, the Directorate-General of Budget may carry out a confirmation to SKK Migas or BPMA for the payment request invoice documents as referred to in paragraph (1).
- (4) The confirmation results as referred to in paragraph (3) shall be set forth in an official report.
- (5) In the event that based on:
  - a. the examination results, the invoice of the request for payment as referred to in paragraph (1) is not fulfilled; or
  - b. the official report on confirmation as referred to in paragraph (4), the payment request invoice documents are not fulfilled,the Directorate-General of Budget may not process the request for the payment of Fees any further.
- (6) In the event that the request for the payment of Fees may not be processed any further, the Directorate-General of Budget shall deliver a return letter to the Head of SKK Migas or Head of BPMA.
- (7) The process of the invoice of the request for the payment of Fees which may not be processed any further as referred to in paragraph (5) and paragraph (6) may be re-submitted after correction by complying with procedures for the request for Fees as regulated in this Regulation of the Minister.
- (8) If based on the examination sheet as referred to in paragraph (2) or the official report on confirmation as referred to in paragraph (4), the payment request invoice document has been fulfilled, the Directorate-General of Budget shall process it further by submitting the payment request to the Directorate-General of Treasury.
- (9) The settlement process for the invoice of the request for the payment of Fees submitted by SKK Migas shall be implemented by the Directorate-General of Budget within a maximum period of 10 (ten) business days from the receipt of complete documents.

**CHAPTER V****PROCEDURES FOR THE SETTLEMENT OF INVOICES OF THE PAYMENT OF SURFACE WATER TAX, GROUNDWATER TAX, AND TAX ON CERTAIN GOODS AND SERVICES FOR ELECTRICITY****Division One****General****Article 26**

- (1) Types of tax from upstream oil-and-gas business activities which are borne and paid by the central government through the Minister who organizes government affairs in the state finance sector to regional governments shall include:
  - a. PAP;
  - b. PAT; and
  - c. PBJT for Electricity.
- (2) Provisions on the amount of tariff as well as calculation of the basis for the imposition and collection of Regional Taxes as referred to in paragraph (1) shall refer to the provisions of laws and regulations on Regional Taxes and Levies.

**Division Two****Invoices of the Request for the Payment of Surface Water Tax, Groundwater Tax, and Tax on Certain Goods and Services for Electricity****Article 27**

- (1) Contractors shall submit data on the realization of Surface Water, Groundwater, and Electricity utilization volumes to Regional Governments on a monthly basis no later than the second week of the following month.
- (2) Volume realization data as referred to in paragraph (1) shall be used by Regional Governments to calculate the principal amount of tax payable.
- (3) Volume realization data as referred to in paragraph (2) shall first be validated by SKK Migas or BPMA along with the Contractor and Regional Government.
- (4) The validation as referred to in paragraph (3) shall be set forth in an official report and signed by the Contractor, Regional Government, and SKK Migas or BPMA.
- (5) Types of official reports as referred to in paragraph (4) shall include:
  - a. Official Report on the Utilization of Surface Water for Upstream Oil-and-Gas Business Activities;
  - b. Official Report on the Utilization of Groundwater for Upstream Oil-and-Gas Business Activities; and
  - c. Official Report on the Utilization of Electricity for Upstream Oil-and-Gas Business Activities.
- (6) Official Report on the Utilization of Surface Water for Upstream Oil-and-Gas Business Activities and Recapitulation of the Utilization of Surface Water for Upstream Oil-and-Gas Business Activities shall be prepared in accordance with the format example as set out in Appendix I which constitutes an integral part

of this Regulation of the Minister.

- (7) Official Report on the Utilization of Groundwater for Upstream Oil-and-Gas Business Activities and Recapitulation of the Utilization of Groundwater for Upstream Oil-and-Gas Business Activities shall be prepared in accordance with the format example as set out in Appendix II which constitutes an integral part of this Regulation of the Minister.
- (8) Official Report on the Utilization of Electricity for Upstream Oil-and-Gas Business Activities and Recapitulation of the Utilization of Electricity for Upstream Oil-and-Gas Business Activities shall be prepared in accordance with the format example as set out in Appendix III which constitutes an integral part of this Regulation of the Minister.

#### **Article 28**

- (1) The Surface Water acquisition value and the volume in the official report as referred to in Article 27 paragraph (5) letter a shall be used by the Head of the Region to calculate the principal amount of PAP payable.
- (2) The Groundwater acquisition value and the volume in the official report as referred to in Article 27 paragraph (5) letter b shall be used by the Head of the Region as the basis for calculating the principal amount of PAT payable.
- (3) The electricity sales value, tariff of PBJT for Electricity, and volume in the official report as referred to in Article 27 paragraph (5) letter c shall be used by the Head of the Region to calculate the principal amount of PBJT for Electricity payable.

#### **Article 29**

- (1) The Governor or the Regional Secretary on behalf of the Governor shall deliver the invoice of the principal PAP payable as referred to in Article 28 paragraph (1) in writing to the Head of the SKK Migas Representative or the Head of BPMA.
- (2) The invoice of the principal PAP as referred to in paragraph (1) shall be accompanied by:
  - a. Original official report as referred to in Article 27 paragraph (5) letter a;
  - b. Original Regional Tax Assessment;
  - c. Regional Regulation on PAP;
  - d. Regulation of the Governor on the acquisition value of surface water;
  - e. Statement letter from the Governor or the Regional Secretary on behalf of the Governor explaining that the Regional Regulation and Regulation of the Governor as referred to in letter c and letter d are still valid; and
  - f. Other relevant supporting documents, if required, in accordance with the submitted invoice.
- (3) The Regent/Mayor or the Regional Secretary on behalf of the Regent/Mayor shall submit the invoice of the principal PAT and/or principal PBJT for Electricity payable as referred to in Article 28 paragraph (2) and paragraph (3) in writing to the Head of the SKK Migas Representative or the Head of BPMA.
- (4) The invoice of the principal PAT as referred to in paragraph (3) shall be accompanied by:
  - a. Original official report as referred to in Article 27 paragraph (5) letter b;
  - b. Original Regional Tax Assessment;
  - c. Regional Regulation on PAT;



- d. Regulation of the Regent/Mayor on the acquisition value of groundwater;
  - e. Statement letter from the Regent/Mayor or the Regional Secretary on behalf of the Regent/Mayor explaining that the Regional Regulation and Regulation of the Regent/Mayor as referred to in letter c and letter d are still valid; and
  - f. Other relevant supporting documents, if required, in accordance with the submitted invoice.
- (5) The invoice of the principal PBJT for Electricity as referred to in paragraph (3) shall be accompanied by:
- a. Original official report as referred to in Article 27 paragraph (5) letter c;
  - b. Original Regional Tax Return;
  - c. Regional Regulation on PBJT for Electricity;
  - d. Regulation of the Regent/Mayor on the sales price of electricity in accordance with the applicable provisions;
  - e. Statement letter from the Regent/Mayor or the Regional Secretary on behalf of the Regent/Mayor explaining that the Regional Regulation and Regulation of the Regent/Mayor as referred to in letter c and letter d are still valid; and
  - f. Other relevant supporting documents, if required, in accordance with the submitted invoice.
- (6) The invoices of principal PAP, principal PAT, and principal PBJT for Electricity as referred to in paragraph (2), paragraph (4), and paragraph (5) shall be prepared by using the format example as set out in Appendix IV which constitutes an integral part of this Regulation of the Minister.
- (7) The right to collect principal PAP, principal PAT, and principal PBJT for Electricity shall expire after exceeding the period of 5 (five) years from the time the tax becomes due.

### Article 30

- (1) Upon the invoices of the principal PAP, principal PAT, and principal PBJT for Electricity as referred to in Article 29, SKK Migas or BPMA shall conduct verification.
- (2) In the framework of the verification process of principal PAP, principal PAT, and principal PBJT for Electricity as referred to in paragraph (1), SKK Migas or BPMA shall conduct an examination of:
  - a. completeness of the invoice documents of PAP, PAT, and PBJT for Electricity as regulated in Article 29 paragraph (2), paragraph (4), and paragraph (5);
  - b. conformity of the invoices of principal PAP, principal PAT, and principal PBJT for Electricity as regulated in Article 29 paragraph (6);
  - c. conformity of the tariff and basis for the imposition of PAP, PAT, and PBJT for Electricity; and
  - d. correctness of the calculation of the amount of principal PAP, principal PAT, and principal PBJT for Electricity payable.
- (3) In the event that based on the verification results, the provisions as referred to in paragraph (2) are not fulfilled, SKK Migas or BPMA may not further process the invoices as referred to in Article 29 paragraph (1) and paragraph (3).
- (4) In the event that the invoices may not be processed any further as referred to in paragraph (3), the Head of the SKK Migas Representative or the Head of BPMA shall deliver a notification to the Governor or Regent/Mayor.
- (5) The invoices that may not be processed any further as referred to in paragraph (3) may be re-submitted by the Governor or Regent/Mayor to the Head of SKK Migas or the Head of BPMA after fulfilling the

provisions as referred to in paragraph (2).

- (6) In the event that the verification as referred to in paragraph (2) has fulfilled the requirements, the Head of SKK Migas or Head of BPMA through the lower-level official whose duties and functions carry out affairs in the financial sector shall submit a payment request to the Director-General of Budget accompanied with:
  - a. verification workpapers used in the examination process as referred to in paragraph (2); and
  - b. invoice documents of the principal PAP, PAT, and PBJT for Electricity as referred to in Article 29 paragraph (2), paragraph (4), and paragraph (5).
- (7) Implementation of the verification process as referred to in paragraph (2), submission of notification letter to the Governor or Regent/Mayor as referred to in paragraph (4), and/or submission of payment request to the Director-General of Budget as referred to in paragraph (6) shall be implemented by SKK Migas or BPMA within a maximum period of 15 (fifteen) business days from the receipt of the invoice as referred to in Article 29 paragraph (1) and paragraph (3).
- (8) The invoice of the request for payment as referred to in paragraph (6) shall be prepared by using the format example as set out in Appendix V which constitutes an integral part of this Regulation of the Minister.

### **Division Three**

#### **Settlement of Invoices of the Request for the Payment of Surface Water Tax, Groundwater Tax, and Tax on Certain Goods and Services for Electricity**

##### **Article 31**

- (1) Upon the invoice of request for the payment of principal PAP, principal PAT, and principal Electricity, which is submitted by the Head of SKK Migas or Head of BPMA through the lower-level official whose duties and functions carry out affairs in the financial sector, the Directorate-General of Budget shall examine:
  - a. conformity of the request letter for the payment of principal PAP, principal PAT, and principal PBJT for Electricity as referred to in Article 30 paragraph (6); and
  - b. conformity of the request letter for the payment of principal PAP, principal PAT, and principal PBJT for Electricity as referred to in Article 30 paragraph (8).
- (2) In the event that based on the examination results, the payment request documents as referred to in paragraph (1) have been fulfilled, the examination results shall be set forth in a sheet of the examination results of the Directorate-General of Budget.
- (3) If necessary, the Directorate-General of Budget may carry out a confirmation to SKK Migas or BPMA for the payment request invoice documents as referred to in paragraph (1).
- (4) The confirmation results as referred to in paragraph (3) shall be set forth in an official report.
- (5) In the event that based on:
  - a. the examination results, the payment request invoice documents as referred to in paragraph (1) are not fulfilled; or
  - b. the official report on confirmation as referred to in paragraph (4), the payment request invoice documents are not fulfilled,the Directorate-General of Budget may not process the request for the payment of principal PAP, principal PAT, and principal PBJT for Electricity any further.
- (6) In the event that the invoice of the request for the payment of principal PAP, principal PAT, and principal

PBJT for Electricity may not be processed any further, the Director-General of Budget shall submit a letter of return to the Head of SKK Migas or Head of BPMA.

- (7) The process of invoice of the request for the payment of principal PAP, principal PAT, and principal PBJT for Electricity which may not be processed any further as referred to in paragraph (5) and paragraph (6), may be re-submitted after correction by complying with procedures for the request for the payment of principal PAP, principal PAT, and principal PBJT for Electricity as regulated in this Regulation of the Minister.
- (8) If based on the sheet of the examination results as referred to in paragraph (2) or the official report on confirmation as referred to in paragraph (4), the payment request document has been fulfilled, the Director-General of Budget shall process it further by submitting the payment request to the Director-General of Treasury.
- (9) The settlement process of the invoice request for the payment of principal PAP, principal PAT, and principal PBJT for Electricity submitted by SKK Migas or BPMA shall be carried out by the Directorate-General of Budget within a maximum period of 10 (ten) business days from the receipt of complete documents.

## **CHAPTER VI**

### **SETTLEMENT OF THE PAYMENT OF INVOICES TO THE GOVERNMENT**

#### **Article 32**

- (1) The request for payment as referred to in Article 9 paragraph (8), Article 18 paragraph (8), Article 25 paragraph (8), and Article 31 paragraph (8) shall be submitted by the Director-General of Budget by taking into account the state financial condition and the availability of funds in the oil-and-gas account.
- (2) In the event that the funds as referred to in paragraph (1) are insufficient to pay the entire request for payment, the Directorate-General of Budget shall suspend the payment until the availability of funds and/or pay part of the invoice.

#### **Article 33**

- (1) Upon the request for payment submitted by the Directorate-General of Budget as referred to in Article 32 paragraph (1), the Directorate-General of Treasury shall conduct an examination.
- (2) In the event that the examination results as referred to in paragraph (1) have fulfilled the requirements, the Directorate-General of Treasury shall issue an order for the disbursement of funds and/or an order for transfer electronically to Bank Indonesia.
- (3) The order for the disbursement of funds and/or the order for transfer as referred to in paragraph (2) shall be issued within a maximum period of 6 (six) business days from the receipt of the request for payment and the computer data archive of the Payment Order from the Directorate-General of Budget.
- (4) Based on the order for the disbursement of funds and/or the order for transfer as referred to in paragraph (2), Bank Indonesia shall transfer the funds for the payment of invoices to the government for the upstream oil-and-gas business activities to the relevant Contractor account, Business Entity account, or Regional Government account.
- (5) The Directorate-General of Treasury and the Directorate-General of Budget shall monitor the transaction and download the account statement for the transfer as referred to in paragraph (4) through the information system provided by Bank Indonesia.

**Article 34**

The Directorate-General of Budget shall deliver notification of payment of invoice to the Government for upstream oil-and-gas business activities based on the proof of transfer transaction in the oil-and-gas account from Bank Indonesia as referred to in Article 33 paragraph (5) to SKK Migas or BPMA.

**Article 35**

- (1) In the event that an error in the payment of obligations of the Government in the upstream oil-and-gas business activities is discovered, the said error shall be calculated in the payment of obligations for the next period.
- (2) In the event that based on the results of an examination conducted by the authorized agency it is discovered that an error in the payment of the obligation of the Government in the upstream oil-and-gas business activities is discovered, the said error shall be corrected in accordance with the provisions of laws and regulations.

**CHAPTER VII  
INFORMATION SYSTEM****Article 36**

- (1) Requests for the payment of invoices to the government for upstream oil-and-gas business activities as referred to in Article 2 shall be submitted to the Director-General of Budget through an application system built, managed, and/or developed by the Ministry of Finance.
- (2) The process of submission through the application system as referred to in paragraph (1) shall be started from the submission of the request for the payment of invoices to the government for upstream oil-and-gas business activities by the Head of SKK Migas or Head of BPMA through the lower-level official whose duties and functions carry out affairs in the financial sector to the Director-General of Budget until the submission of the request for payment by the Director-General of Budget to the Director-General of Treasury.
- (3) In the event of:
  - a. force majeure; or
  - b. other conditions which render the application system unusable,the process of submitting the request for the payment of invoices to the Director-General of Budget shall be conducted through non-application.
- (4) The non-application as referred to in paragraph (3) shall be implemented in accordance with the correspondence procedure mechanism.

**CHAPTER VIII  
TRANSITIONAL PROVISIONS****Article 37**

Upon the effective enforcement of this Regulation of the Minister, the payment process of the Government obligations in upstream oil-and-gas business activities in the form of:

- a. Reimbursements of PPN or PPN and PPnBM that have been submitted by the Head of SKK Migas or Head of BPMA to the Directorate-General of Budget but the payment has not been settled before this Regulation of the Minister comes into force, shall be settled based on Regulation of the Minister of Finance Number 119/PMK.02/2019 on Procedures for the Reimbursement of Value-Added Tax or Value-Added Tax and Luxury Goods Sales Tax on the Acquisition of Taxable Goods and/or Taxable Services to Contractors in Upstream Oil-and-Gas Business Activities;
- b. Payment of the DMO Fee and/or Contractor Under-Lifting which has been submitted by the Head of SKK Migas or Head of BPMA to the Directorate-General of Budget but the payment has not been completed before this Regulation of the Minister comes into force, shall be settled based on Regulation of the Minister of Finance Number 118/PMK.02/2019 on Procedures for the Payment of Domestic Market Obligation Fee, Contractor Over-Lifting, and/or Over-Lifting Under-Lifting in Upstream Oil-and-Gas Business Activities as amended by Regulation of the Minister of Finance Number 51 of 2023 on the Amendment to Regulation of the Minister of Finance Number 118/PMK.02/2019 on Procedures for the Payment of Domestic Market Obligation Fee, Contractor Over-Lifting, and/or Over-Lifting Under-Lifting in Upstream Oil-and-Gas Business Activities;
- c. Payment of Fees for Sales of Oil and/or Gas of State Share that has been submitted by the Head of SKK Migas to the Directorate-General of Budget but the payment has not been completed before this Regulation of the Minister comes into force, shall be settled based on Regulation of the Minister of Finance Number 114/PMK.02/2017 on Procedures for the Payment of Fees to Sellers of Oil and/or Gas of State Share Charged to the State Share from the Receipt from the Sales of Oil and/or Gas; and
- d. Invoices of PAP, PAT, and street lighting tax which have been utilized but the payment of which has not been settled before this Regulation of the Minister comes into force, shall be settled based on Regulation of the Minister of Finance Number 9/PMK.02/2016 on Procedures for the Payment of Surface Water Tax, Groundwater Tax, and Street Lighting Tax for Upstream Oil-and-Gas Business Activities Paid by the Central Government as amended by Regulation of the Minister of Finance Number 195/PMK.02/2017 on the Amendment to Regulation of the Minister of Finance Number 9/PMK.02/2016 on Procedures for the Payment of Surface Water Tax, Groundwater Tax, and Street Lighting Tax for Upstream Oil-and-Gas Business Activities Paid by the Central Government.

## **CHAPTER IX CLOSING PROVISIONS**

### **Article 38**

Upon the effective enforcement of this Regulation of the Minister:

- a. Regulation of the Minister of Finance Number 9/PMK.02/2016 on Procedures for the Payment of Surface Water Tax, Groundwater Tax, and Street Lighting Tax for Upstream Oil-and-Gas Business Activities Paid by the Central Government (Official Gazette of the Republic of Indonesia of 2016 Number 122);
- b. Regulation of the Minister of Finance Number 114/PMK.02/2017 on Procedures for the Payment of Fees to Sellers of Oil and/or Gas of State Share Charged to the State Share from the Receipt from the Sales of Oil and/or Gas (Official Gazette of the Republic of Indonesia of 2017 Number 1134);
- c. Regulation of the Minister of Finance Number 195/PMK.02/2017 on the Amendment to Regulation of the Minister of Finance Number 9/PMK.02/2016 on Procedures for the Payment of Surface Water Tax, Groundwater Tax, and Street Lighting Tax for Upstream Oil-and-Gas Business Activities Paid by the Central Government (Official Gazette of the Republic of Indonesia of 2017 Number 1822);
- d. Regulation of the Minister of Finance Number 118/PMK.02/2019 on Procedures for the Payment of Domestic Market Obligation Fee, Contractor Over-Lifting, and/or Contractor Under-Lifting in Upstream Oil-



and-Gas Business Activities (Official Gazette of the Republic of Indonesia of 2019 Number 923);

- e. Regulation of the Minister of Finance Number 119/PMK.02/2019 on Procedures for the Reimbursement of Value-Added Tax or Value-Added Tax and Luxury Goods Sales Tax for the Acquisition of Taxable Goods and/or Taxable Services to Contractors in Upstream Oil-and-Gas Business Activities (Official Gazette of the Republic of Indonesia of 2019 Number 924); and
- f. Regulation of the Minister of Finance Number 51 of 2023 on the Amendment to Regulation of the Minister of Finance Number 118/PMK.02/2019 on Procedures for the Reimbursement of Value-Added Tax or Value-Added Tax and Luxury Goods Sales Tax for the Acquisition of Taxable Goods and/or Taxable Services to Contractors in Upstream Oil-and-Gas Business Activities (Official Gazette Republic of Indonesia of 2023 Number 365),

are repealed and declared invalid.

### Article 39

This Regulation of the Minister comes into force on the date of its promulgation.

For public cognizance, it is hereby ordered that this Regulation of the Minister be promulgated in the Official Gazette of the Republic of Indonesia.

Established in Jakarta  
on 31 December 2024

THE MINISTER OF FINANCE OF THE REPUBLIC OF INDONESIA,

Signed.

SRI MULYANI INDRAWATI

Promulgated in Jakarta  
on 31 December 2024

THE DIRECTOR-GENERAL OF LAWS AND REGULATIONS OF THE MINISTRY OF LAW OF THE REPUBLIC  
OF INDONESIA

Signed.

DHANA PUTRA

OFFICIAL GAZETTE OF THE REPUBLIC OF INDONESIA OF 2024 NUMBER 1109

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