

TECHNICAL CRITERIA OF ALLOCATED MINING ZONE (Regulation of the Minister Energy and Mineral Resource of R.I. Number 37 Year 2013, dated December 24, 2013)

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

Considering:

In the implementation of the provision in Article 68 paragraph (3) Government Regulation Number 26 Year 2008, concerning National Space Layout Plan, it is necessary to stipulated Regulation of the Minister of Energy and Mineral Resource concerning Technical Criteria for Allocated Mining Zone;

In view of:

1. Law Number 22 Year 2001, concerning Natural Oil and Gas (Statute Book of the Republic of Indonesia Year 2001 Number 136, Supplement to Statute Book of the Republic of Indonesia Number 4152);
2. Law Number 27 Year 2003, concening Geothermal (Statute Book of the Republic of Indonesia Year 2003 Number 115, Supplement to Statute Book of the Republic of Indonesia Number 4327);
3. Law Number 26 Year 2007, concerning Space Layout (Statute Book of the Republic of Indonesia

Year 2007 Number 68, Supplement to Statute Book of the Republic of Indonesia Number 4725);

4. Law Number 4 Year 2009, concerning Mineral and Coal Mining (Statute Book of the Republic of Indonesia Year 2009 Number 4, Supplement to Statute Book of the Republic of Indonesia Number 4959);
5. Government Regulation Number 35 Year 2004, concerning Upstream Natural Oil and Gas Business Activity (Statute Book of the Republic of Indonesia Year 2004 Number 123, Supplement to Statute Book of the Republic of Indonesia Number 4435) as amended twice and lately amended by Government Regulation Number 55 Year 2009 (Statute Book of the Republic of Indonesia Year 2009 Number 128, Supplement to Statute Book of the Republic of Indonesia Number 5047);
6. Government Regulation Number 26 Year 2008, concerning Space Layout of National Territory (Statute Book of the Republic of Indonesia Year 2008 Number 48, Supplement to Statute Book of the Republic of Indonesia Number 4833);

7. Government Regulation Number 22 Year 2010, concerning Mining Territory (Statute Book of the Republic of Indonesia Year 2010 Number 28, Supplement to Statute Book of the Republic of Indonesia Number 5110);
8. Presidential Decree Number 59/P Year 2011, dated October 18, 2011;
9. Regulation of the Minister of Energy and Mineral Resource Number 18 Year 2010 concerning Organization and Work Procedure of the Ministry of Energy and Mineral Resource (State Gazette of the Republic of Indonesia Year 2010 Number 552) as amended by Regulation of the Minister of Energy and Mineral Resource Number 22 Year 2013 (State Gazette of the Republic of Indonesia Year 2013 Number 1022);
10. Regulation of the Minister of Energy and Mineral Resource Number 12 Year 2011 concerning Procedure for Stipulating Mining Business Area and Information System of Mineral and Coal Mining Area (State Gazette of the Republic of Indonesia Year 2011 Number 487);

DECIDES:

To stipulate:

REGULATION OF THE MINISTER OF ENERGY AND MINERAL RESOURCE CONCERNING TECHNICAL

CRITERIA OF ALLOCATED MINING ZONE.

CHAPTER I

GENERAL PROVISION

Article 1

What is meant in this Regulation of the Minister by:

1. Allocated Mining Area shall be area that has potential mining resource and constituting a place where mining activity is conducted within on-shore and offshore area.
2. Mining Area, hereinafter referred to as WP, shall be area that has potential mineral and/or coal and not bound with administration administration border that constitutes part of National space layout..
3. Area of Mining Business License hereinafter referred to as WIUP, shall be area granted to the holder o Mining Business License. .
4. Public Mining Area, hereinafter referred to as WPR, shall be portion of Mining Area where public mining business activity is conducted.
5. Work Contract, hereinafter referred to as KK, shall be agreement between the Government of the Republic of Indonesia with Indonesian legal entity company in the context of foreign capital

investment to conduct mineral mining business, not including natural oil, natural gas, geothermal, radioactive, and coal.

6. Work Contract for Coal Mining Exploitation, hereinafter referred to as PKP2B, shall be agreement between the Government of the Republic of Indonesia and Indonesian legal entity company in the context of foreign capital investment to operate coal mineral mining business.
7. Natural Oil and Gas Work Area shall be particular area within Indonesian Mining Legal Area to carry out Natural Oil and Gas Exploration and Exploitation.
8. Geothermal Mining Work Area shall be area stipulated in Geothermal Mining Business License.
9. Mineral Mining shall be type of natural resource in the form of radioactive, metal mineral, non-metal mineral, rocks, coal, including solid bitumen and asphalt rocks, natural oil and gas, and geothermal.
10. Geothermal Manifestation shall be symptoms on the surface constituting the characteristics of potentiality of geothermal.
11. Delineation in Allocated Mining Zone shall be drawing of the border lines from the zone based

on technical criteria.

12. Minister shall be Minister exercising administration affairs on mining.

Article 2

- (1) Mining Allocated Zone may be in the form of Mining Allocated Zone:
 - a. mineral;
 - b. coal;
 - c. natural oil and gas; and/or
 - d. geothermal.
- (2) Mining Allocated Zone referred to paragraph (1) letter a and letter b is equivalent with Mineral and Coal WP.
- (3) The Mineral referred to paragraph (1) letter a consists of:
 - a. radioactive mineral;
 - b. metal mineral;
 - c. non-metal mineral; and
 - d. rocks.
- (4) The coal referred to paragraph (1) letter b covers solid bitumen padat, asphalt rocks, coal, and soil peat.
- (5) Natural oil and gas referred to paragraph (1) letter shall be among other things:
 - a. natural oil;

- b. natural gas;
- c. coal methane gas;
- d. shale gas;
- e. shale oil;
- f. tight sand gas; and
- g. methane-hydrate.

CHAPTER II

TECHNICAL CRITERIA OF ALLOCATED MINING ZONE

Article 3

- (1) Alllocated Mining Zone for radioactive mineral is stipulated based on technical criteria:
- a. having rocks formation spread as radioactive mineralization carrier;
 - b. containing data on indicated radioactive mineralization;
 - c. containing data on potential radioactive mineralization; and/or
 - d. containing data on radioactie mineral reserve.
- (2) Allocated Mining Zone for metal mineral is stipulated based on technical criteria:
- a. having spead rocks formation as radioactive as carrier of metal mineralization;
 - b. containing data on indicated metal mineralization;
 - c. containing data on potential metal mineralization; and/or
 - d. containing data on metal mineral reserve.

- (3) Allocated Mining Zone for non-metal mineral is stipulated based on technical criteria:
- a. having spread of non-metal mineral formation and rocks;
 - b. containing data on indicated non-mineral and rocks;
 - c. containing data on potential non-metal mineral and rocks; and/or
 - d. containing data on non-metal minerral reserve and rocks.
- (4) Allocated Mining Zone of coal is stipulated based on technical criteria:
- a. having rocks formation spread as coal carrier;
 - b. containing data on indicated coal resource;
 - c. containing data on potential coal; and/or
 - d. containing data on coal reserve.
- (5) Allocated Mining Zone of natural oil and gas is stipulated based on technical criteria:
- a. containing natural oil and gas reserve and/or
 - b. containing data on indicated potential natural oil and gas based on data on the result of geological and geophysical surveys.
- (6) Allocated Mining Zone of geothermal is stipulated based on technical criteria:
- a. containing inicated potential geothermal based on data on Manifested Geothermal; and/or
 - b. containing indicated potential geothermal

based on the result of survey/geological study pertaining to active volcanic geological condition, magnetic curve, sediment reserve, and shift.

CHAPTER III

DELINEATED ALLOCATED MINING ZONE

Article 4

(1) In stipulating Allocated Mining Zone in compiling territorial space layout Allocated Mining Zone is delineated based on technical criteria of Allocated Mining Zone as referred to in Article 3.

(2) Delineation of Allocated Mining Zone of radioactive mineral is conducted with due observance of::

- a. rocks formation spread as carrier of radioactive mineralization;
- b. data on indicated radioactive mineralization;
- c. data on potential radioactive mineralization; and/or
- d. data on radioactive mineral reserve.

(3) Delineation of Allocated Mining Zone of metal mineral is conducted with due observance of:

- a. rocks formation spread as carrier of metal mineralization;
- b. data on indicated metal mineralization;
- c. data on potential metal mineralization; and/or
- d. data on metal mineral reserve.

(4) Delineation of Allocated Mining Zone of non-metal mineral and rocks is conducted with due observance of:

- a. non-metal mineral formation spread and rocks;
- b. data on indicated non-metal and rocks;
- c. data on potential non-metal mineral and rocks; and/or
- d. data on non-metal mineral and rocks.

(5) Delineation of Allocated Mining Zone of rocks is conducted with due observance of:

- a. rock formation spread as carrier of rocks;
- b. data on indicated coal resource;
- c. data on potential coal; and/or
- d. data on coal reserve.

(6) Delineation of Allocated Mining Zone of natural oil and gas is conducted with due observance of:

- a. reserve border of natural oil and gas and/or coal reserve; and/or
- b. data on indicated potential natural oil and gas is conducted based on the result geological and geophysical surveys.

(7) Delineation of Allocated Mining Zone of geothermal is conducted with due observance of:

- a. indicated potential geothermal based on Geothermal Manifestation and/or
- b. indicated potential geothermal based on data on the result of geological survey/study that

pertains to active vulcanid geological condition, magnetic curve, sediment reserve, and shift.

Article 5

- (1) Allocated Mining Zone referred to in Article 2, Article 3, and Article 4 is delineated and illustrated on the pattern map of space layout plan of island/islands, space layout plan of provincial regions, and space layout plan of regency/municipality regions.
- (2) Delineation of Allocated Mining Zone referred to paragraph (1) is illustrated on the provision:
 - a. space layout plan of island/islands may be delineated cross-provincial regions of the island or islands concerned;
 - b. space layout of provincial regions may be delineated cross-borders of regency/municipality regions concerned;
 - c. delineated space layout plan of regency/municipality is located in regency/municipality regions concerned.
- (3) Delineation of Allocated Mining Zone in the space layout referred to paragraph (1) and paragraph (2) shall constitute closed and structured polygon.
- (4) Delineated Allocated Zone referred to in Article 4 paragraph (2), paragraph (3), paragraph (4), paragraph (5), paragraph (6), and paragraph (7) may

overlap or there will be one (1) or more types of Mining Material.

- (5) Amendment to space layout plan of region for Allocated Mining Zone shall be made based on Delineated Allocated Mining Zone.

Article 6

If provincial or regency/municipality government may not be delineated yet as referred to in Article 5, space layout plan may be stipulated by referring to type of Mining Material and the location of its existence.

CHAPTER IV

TRANSITIONAL PROVISION

Article 7

By the time this Regulation Minister comes to force, on:

- a. WIUP on radioactive mineral;
- b. WIUP on metal mineral logam, WPR on metal mineral, and metal mineral in KK region;
- c. WIUP on non-metal mineral and rocks, WPR on non-metal mineral and rocks, and non-metal and rocks in KK region,
- d. WIUP on coal, WPR on coal, and PKP2B region,
- e. Work Area of non-conventional Natural Oil and Gas;
- f. area of assignment or preliminary geothermal survey;
- g. Work Area of Geothermal Mining,

existing prior to this Regulation Minister comes to force, is delineated as Allocated Mining Zone.

CHAPTER V

CLOSING PROVISION

Article 8

This Regulation of the Minister takes effect on the date it is enacted.

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

Stipulated in

Dated December 24, 2013

MINISTER OF ENERGY AND MINERAL RESOURCE

OF THE REPUBLIC OF INDONESIA,

sgd.

JERO WACIK

Enacted in Jakarta

Dated December 24, 2013

MINISTER OF LAW AND HUMAN RIGHTS

OF THE REPUBLIC OF INDONESIA,

sgd.

AMIR SYAMSUDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA

YEAR 2013 NUMBER 1540

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