



**THE MINISTER OF MINES AND ENERGY OF REPUBLIC OF INDONESIA
THE DIRECTORATE GENERAL OF OIL AND GAS
DECREE OF THE DIRECTOR GENERAL OF OIL AND GAS
NO.: 108.K / 075 / DJM / 1998
ON
THE PROCEDURES FOR DATA SUBMISSION, MANAGEMENT AND
PUBLICATION OF OIL AND GAS GENERAL SURVEY, EXPLORATION AND
EXPLOITATION THE DIRECTOR GENERAL OF OIL AND GAS,**

- Considering:**
1. that in the framework to support the smoothness of mining activities of oil and gas, the Government has stipulated data acquisition, management and publication of the oil and gas General Survey, Exploration and Exploitation;
 2. that in the context of the above matter and as stipulated on Article 21 of the Decree of the Minister of Mines and Energy No. 1815.K/702/M.PE/1997 dated 10 October 1997, it is deemed necessary to determine Procedures on the Data submission, management and publication of oil and gas General Survey, Exploration and Exploitation in a decree of the Director General of Oil and Gas;

**Considering:
In view of:**

1. Law No. 44 of 1960 (State Bulletin No. 133 of 1960, State Bulletin Supplement No. 2070);
2. Law No. 8 of 1971 (State Bulletin No. 76 of 1971, State Bulletin Supplement No.2971);
3. Mijl Politie Reglement of 1930 (Stb. 1930, No. 341);
4. Government Regulation No. 17 of 1974 (State Bulletin No. 20 of 1974, State Bulletin Supplement No. 3031);
5. Government Regulation No. 35 of 1994 (State Bulletin No. 64 of 1994 , State Bulletin Supplement No. 3571);
6. Presidential Decree No. 374/M of 1995 dated 23 November 1995;
7. Regulation of the Minister of Mines and Energy No. 02.P/075/M.PE/1992 dated 18 February 1992;
8. Decree of the Minister of Mines and Energy No. 1815.K/702/M.PE/1997 dated 10 October 1997

**DECIDED:
To establish:**

**DECREE OF THE DIRECTOR GENERAL OF OIL AND GAS ON THE DATA
SUBMISSION,
MANAGEMENT AND PUBLICATION OF OIL AND GAS GENERAL SURVEY,
EXPLORATION AND EXPLOITATION**

**CHAPTER I
GENERAL STIPULATIONS**

Article 1

In this Decree:

1. Ministerial Decree means the Decree of the Minister of Mines and Energy No. 1815.K/702/M.PE/1997 on the Data acquisition, management and publication of oil and gas General Survey, Exploration and Exploitation in a decree of the Director General of Oil and Gas;
2. Data, General Survey, Exploration, Exploitation, The Mining Concession Area, Working Area, Pertamina, Contractor, Director General, and Directorate General have same meaning as on Article 1 of the Ministerial Decree;
3. Active Data means Data obtained by Pertamina or Contractor from Exploration and Exploitation on a Mining Concession Area or Working Area, which are still being used to support its activities;
4. The Statutory Mining Territory of Indonesia means the whole Indonesia archipelago, the land under the Indonesia water, and the continental shelf of Indonesia;
5. Open Area means The Statutory Mining Territory of Indonesia which has not been assigned as a Mining Concession Area or Working Area;
6. Integrated Data Management means activities encompassing Data storage, processing, arrangement, and utilization, in a system with specified standard to enable easy access and increase benefit value of Data;
7. Access means activities that includes see or take Data from a Data management system electronically and or with other common ways;
8. Data Publication means giving license to use Data by Government to Data user, with an obligation not to transfer or sell the license to third party;
9. Production Sharing Contract means cooperation between Pertamina and Contractor to carry out Oil and Gas Exploration and Exploitation with production sharing scheme;
10. Agreement means agreement between Republic of Indonesia and neighboring country regarding zone of cooperation on the boarder of natural resources exploitation authority between Indonesia and the neighboring country;
11. Interest means right and obligation of Contractor related to a Production Sharing Contract;
12. Operator means Production Sharing Contract operator;
13. Director means Exploration and Production Director of Directorate General of Oil and Gas;
14. Directorate means Exploration and Production Directorate of Directorate General of Oil and Gas.

CHAPTER II DATA SUBMISSION PROCEDURES

Article 2

Pertamina and Contractor shall be obliged to submit all Data originating from the Mining Concession Area or Working Area under their control, physically to the Director General c.q. the Director.

Article 3

1. Data submission shall be carried out using format and storage media specified in Exhibit 1 of this Decree.
2. Data submission by Pertamina or Contractor shall be done with a Minute of Data Submission.
3. Pertamina and Contractor shall be responsible for the cost of Data submission to the site as specified by the Director.

Article 4

1. The business entity that cooperates with the Directorate General in establishing General Survey, shall be obliged to submit General Data obtained from related General Survey to the Director General c.q. the Director, at the latest 3 months after the completion of the data acquisition.
2. The business entity that cooperates with the Directorate General in establishing General Survey, shall submit Basic Data obtained from related General Survey physically to the Director General c.q. the Director, on the completion of the related cooperation agreement.
3. The Director General may ask Copy of Data obtained from the General Survey for the interest of the Directorate General prior to the Data submission as referred in paragraph (2).
4. The business entity that establishes General Survey shall be responsible for the cost of Data submission as referred to in paragraph (2) to the site specified by the Director.

CHAPTER III DATA MANAGEMENT, FORMAT, STORAGE MEDIA AND ACQUISITION

Article 5

1. Integrated Data Management at the national level will be established by the Directorat General or a business entity so appointed by and in cooperation with the Director General as an executing agency for and on behalf of the Directorate General, encompassing the activities such as:
 1. Storage and provision of physical data and establishment of database
 2. Data processing including remastering, copying and other processing

3. Data arrangement using standard catalogue
 4. Data utilization to support Exploration and Exploitation activities
1. The business entity as referred to in paragraph (1) shall undertake the Integrated Data Management in professional and efficient manner
 2. The business entity as referred to in paragraph (1) may cooperate with other parties in the form of technology provision, technical assistant, or operational cooperation upon prior notification to the Director General.

Article 6

1. The Integrated Data Management of data originating from Open Area is exclusively done by the Directorate General or the business entity cooperating with the Director General as executing agent for and on behalf of the Directorate General.
2. The business entity referred to in paragraph (1) shall undertake the service of provision of Data originating from Open Area to support opening new Working Area, and Open Data provision services in general.
3. All cost and financial risk arising from the Data management of data originating from Open Area by the business entity referred to in paragraph (1), shall be the responsibility of the said business entity.

Article 7

1. Management of Active Data originating from Mining Concession Area or originating from Working Area shall be undertaken by Pertamina, Contractor, and the Directorate General, and shall be carried out professionally and efficiently.
2. Active Data management by Pertamina or Contractor as referred to in paragraph (1) shall be established in an Integrated Data Management system and shall interactively link to the Integrated Data Management system of the Directorate General, minimum at catalogue and General Data Access level.
3. All cost arising from the management of Active Data as referred to in paragraph (2) shall be borne by Pertamina or Contractor.

Article 8

1. Data storage shall be done using format and storage media specified in Exhibit 1 of this Decree.
2. Data storage shall meet storage requirement specified in Exhibit 2, Exhibit 3, and Exhibit 4 of this Decree.
3. Pertamina and Contractor shall store copies of Data in the warehouse located in Indonesia to support Exploration and Exploitation activities.
4. Data storage by Pertamina and Contractor as referred to in paragraph (3) and Data storage by the Director General of those submitted Data as referred to in Article 2, is part of Data disaster recovery system.

Article 9

1. Before storing rock samples (cores) must be cut in slabs and separated between those to be used for operational purposes by Pertamina or Contractor and those to be submitted to the Director General.
2. Core sample storage shall be made by giving them covers which maintain the purity of the core sample conditions at its original conditions
3. The part of core sample used for operational purposes shall leave a minimum amount.

Article 10

Storage of Data in form of solid goods such as core samples acquired from drilling wells (including bore cutting, core samples, side core) or surface outcrops, shall be marked by the locations of its sampling and their depths (for samples taken from wells).

Article 11

Data arrangement shall be done using standard catalogue as specified in Exhibit 5 of this Decree.

Article 12

1. The establishment and use of a new corporate database in the framework of an Integrated Data Management shall use Petrotechnical Open Software Corporation (POSC) standard.
2. The establishment and use of a project database by Pertamina and Contractor can be done using format in accordance to used technology and applications.

Article 13

The establishment and use of database by Pertamina and Contractor under the framework of implementation of an Integrated Data Management of Active Data may be carried out under a variety of choices, as follows:

1. to build a complete database encompassing corporate database and project database under the coordination and supervision of the Director, and providing interactive link facility to the database of the Directorate General or the business entity so appointed by the Director General, at least link to the catalogue and General Data presentation system, or
2. to build a Project database under the coordination and supervision of the Director, while the corporate database shall be provided by the Directorate General, or
3. using the database of the Directorate General as their need level, minimum the catalogue and General Data presentation system.

Contractors whose Production Sharing Contracts were signed after the enactment of the Ministerial Decree shall use the database of the Directorate General at their need level, minimum the catalogue and General Data presentation system.

Article 14

1. For operational sake, Pertamina or Contractor may appoint third parties being a Data processing and Data storage firm.
2. The status of third parties appointed by Pertamina or Contractor as referred to in paragraph (1) shall be as service firms that having the obligation and the responsibility of the confidentiality, originality, security and ownership of the Data shall remain with the Government and they shall not have the right to do Data Publication over all the Data being managed by them.

Article 15

Data processing in terms of re-mastering shall comply with quality control standards as specified in Exhibit 6 of this Decree.

Article 16

1. Data utilization by Pertamina or Contractor shall be made for operational purposes of their Mining Concession Area(s) or Working Area(s).
2. In the implementation of Data utilization, Pertamina and Contractor may choose method and technology of processing, analysis and interpretation as needed.
3. Interest holders in the Production Sharing Contract over a Working Area may use Active Data of the said Working Area as long as for operational needs of the Working Area and they have the status as the interest holders

Article 17

1. For the purpose of transfer of part or whole of Interests, a Contractor may provide a Data Access opportunity for a specific period of time to an aspiring Interest holder for Active Data which are still confidential for a certain amount and types of Data upon prior approval of the Director General.
2. Such granting of Data Access as referred to in paragraph (1) shall not influence the confidentiality status of the Active Data until the expiration of its confidentiality term.
3. Interest holder may present Active Data as referred to in paragraph (1) to an aspiring Interest holder.
4. Aspiring Interest holders that need Data as referred to in paragraph (3) shall access the Data at the Directorate General or the business entity so appointed by the Director General as Data management executing agency.
5. An Interest Holder transferring all its interests shall be obliged to return all the Active Data acquired during its period of time as Interest holder to the Production Sharing Contract Operator and the said Operator shall report the implementation hereof to the Director.

Article 18

1. The use of Active Data and any Data in general, whether for scientific purposes or for any other purpose by Pertamina, Contractor or any other party other than to support

Exploration and Exploitation purposes, shall have prior approval from the Director General.

2. Application for approval shall be submitted by the applicant prior to accessing the Data as referred to in paragraph (1), providing descriptions on the purpose, objective and place where the usage of the Data will be carried out.

Article 19

1. For the sake of Data utilization, Pertamina and Contractor may exchange Active Data which status are still confidential with other Contractors in Indonesia or other country, upon prior approval of the Director General.
2. Application for approval shall be submitted by Pertamina and Contractor prior to the Data exchange as referred to in paragraph (1), providing descriptions on the type of Data to be exchanged, purpose and objective of exchange and entities who exchange the Data.
3. Confidential Active Data which be exchanged by Pertamina or Contractor as referred to in paragraph (1), remain confidential during the period stipulated in the Ministerial Decree according the type of the said Data.
4. Parties who exchange Data, as referred to in paragraph (1), who receive the exchanged Data from Indonesia shall obey laws of Indonesia regarding Data and may utilize the Data for their operation as long as they are the operator of the oil and gas mining activity in the related Working Area.
5. Exchanged Data from other country received by Pertamina or Contractor are belong to the Government and shall be submitted to the Director General in the relinquishment or termination of the Mining Concession Area or Working Area.
6. The Director General or business entity appointed by the Director General may carry out the management and publication of the exchanged Data received from the other country party as referred to in paragraph (1), as long as in accordance to laws or not be stipulated by any laws of the country where the Data are acquired.

Article 20

1. Pertamina or Contractor may acquire Exploration Data in Open Area adjacent to a Mining Concession Area or Working Area to support Exploration activities in its Mining Concession Area or Working Area upon prior approval of the Director General c.q. Director.
2. Application for approval shall be submitted by Pertamina and Contractor prior to the Data acquisition as referred to in paragraph (1), providing descriptions on the purpose, objective and location where the Data acquisition will take place.
3. The Director General c.q. Director may give refusal or approval based on technical consideration or other Government interest.
4. General Data, Basic Data, Processed Data and Interpretive Data those acquired in part of Open Area, directly have Open Data status and shall be submitted to the Director General as stipulated in the Ministerial Decree.
5. Pertamina or Contractor as referred to in paragraph (1) may utilize those Data as referred to in paragraph (4) as long as it holds the concession of the said Mining Concession Area or Working Area.

Article 21

1. Pertamina may carry out Exploration Data Acquisition in Working Area adjacent to its Mining Concession Area.
2. Contractor may carry out Exploration Data Acquisition in Mining Concession Area or Working Area adjacent to its Working Area.
3. Pertamina or Contractor who intend to carry out Exploration Data acquisition as referred to in paragraph (1) and paragraph (2) shall apply approval to operator of petroleum activity area where the Data acquisition will be carried out and shall report to the Director General prior to the Data Acquisition activities.
4. Petroleum activity operator of the Mining Concession Area or Working Area where the Data acquired as referred to in paragraph (3) may utilize the said Data.
5. The acquired Data shall be subject to Data confidentiality laws and shall be submitted by Pertamina or Contractor who acquire the Data as stipulated in the Ministerial Decree.

Article 22

1. Exploration Data acquisition activities in neighboring country