



THE MINISTER OF MINES AND ENERGY
REPUBLIC OF INDONESIA 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
THE MINISTER OF MINES AND ENERGY,

Considering: a. that Data of the oil and gas General Survey, Exploration and Exploitation have an important role to support the smoothness of mining activities of oil and gas;

b. that in the context of the need of the General Survey Data and as a further implementation of stipulations of Article 4 of the Government Regulation No. 17 of 1974, it is deemed necessary to determine a regulations on the Data acquisition, management and publication of oil and gas General Survey, Exploration and Exploitation in a decree of the Minister of Mines and Energy;

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. Mijn 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. 96/M of 1993 dated 17 March 1993;
7. Regulation of the Minister of Mines and Energy No. 02.P/075/M.PE/1992 dated 18 February 1992.

DECIDED:

To establish: **DECREE OF THE MINISTER OF MINES AND ENERGY ON THE DATA ACQUISITION, MANAGEMENT AND PUBLICATION OF OIL AND GAS GENERAL SURVEY, EXPLORATION AND EXPLOITATION.**

CHAPTER I
GENERAL STIPULATIONS

Article 1

In this Ministerial Decree:

1. Data means all facts, directives, indications and information either in the form of characters, numbers (digital), pictures (analog), magnetic media, documents, rock samples, fluids and other forms obtained from the oil and gas General Survey, Exploration and Exploitation;
2. General Survey means an activity to obtain data in order to know the geological condition related to the potential of oil and gas at an Open Area;
3. Exploration means a series of activities in order to know the geological condition including exploratory well drilling, at the Mining Concession Area or at a certain Working Area to determine the existence of oil and gas;
4. Exploitation means a series of activities covering the well drilling, well completion, development of field facility and production operation including well abandonment and demobilization of production facility at the last exploitation activity;
5. The Mining Concession Area means a certain area granted to Pertamina to carry out Exploration and Exploitation activities;
6. Working Area means a certain area granted to Contractor to carry out the Exploration and/or Exploitation activities;
7. Pertamina means the National Oil and Gas Mining Company established based on Laws No. 8 of 1971;
8. Contractor means an undertaking to carry out the Exploration and/or Exploitation at a Working Area based on a Production Sharing Contract or other contracts with Pertamina;
9. Copy means the result of data duplication, either into the same or different storage media;
10. Director General means the Director General of Oil and Gas;
11. The Directorate General means the Directorate General of Oil and Gas.

Article 2

1. Data obtained from the General Survey, Exploration and/or Exploitation shall be owned by the Government.
2. All data as mentioned in paragraph (1) shall be submitted to the Director General.
3. Director General shall arrange, manage and make use of all data as mentioned in paragraph (1) nationwide with respect to the Data confidentiality principle referred to in Article 8.
4. Pertamina can use data obtained from Exploration and Exploitation at its Mining Concession Area, as long as the Mining Concession Area is still under its authority.
5. Contractor can use data obtained from Exploration and Exploitation at its Working Area for a period of contract granted to carry out the Exploration and Exploitation.

CHAPTER II CLASSIFICATION OF DATA

Article 3

1. Data Classification based on type:

1. General Data, are data that give identification on Basic Data, Processed Data and Interpretive Data.
2. Basic Data are data obtained from the General Survey, Exploration and/or Exploitation as a result of geological, geophysical, geochemical survey, drilling activities, and production.
3. Processed Data are data obtained from the processing of Basic Data.
4. Interpretive Data are data obtained from the interpretation of Basic Data and/or Processed Data.

2. Data Classification based on status:

1. Restricted Data are data obtained from Exploration and/or Exploitation, which are not yet open for public.
2. Open Data, are data obtained from the General Survey, Exploration and/or Exploitation which are open for public.
3. Active Data, are data obtained by Pertamina or Contractor from Exploration and Exploitation at the Mining Concession Area or Working area, consist of Restricted Data and Open Data, which are still be used to support its activities.

CHAPTER III DATA SUBMISSION

Article 4

1. Basic Data obtained from geological, geophysical, geochemical survey, drilling activities, and production shall be submitted to the Director General at the latest three months after completion of the survey and such activities, except for Basic Data obtained from the General Survey.
2. Processed Data as mentioned in Article 3, paragraph (1), point c) shall be submitted to the Director General at the latest three months after completion of the processing.
3. Interpretive Data as mentioned in Article 3, paragraph (1), point d) shall be submitted the Director General at the latest three months after completion of interpretation.

Article 5

Director General determines further provision of the procedure of data submission by Pertamina or Contractor as mentioned in Article 4 and submission of data obtained from General Surveys.

Article 6

1. Submission of data as mentioned in Article 4 shall be done by using a specified format or storage media, which shall be in accordance with type of data, determined by the Director General.
2. Head of Pertamina or Contractor shall be responsible for the completeness and correctness of data submitted to the Director General as mentioned in Article 4.

CHAPTER IV RESPONSIBILITY OF COSTS

Article 7

1. Pertamina shall be reliable for all Data Management costs of Active Data from its Mining Concession Area, which are under its possession.
2. Contractor shall be reliable for all Data Management costs of Active Data from its Working Area, which are under its possession during the contract period.
3. All costs spent by Pertamina or Contractor as referred to in paragraph (1) and paragraph (2) are operating costs.

CHAPTER V CONFIDENTIALITY OF DATA

Article 8

1. General Data as mentioned in Article 3, paragraph (1), point a. are classified as Open Data.
2. Status of Basic Data as mentioned in Article 3, paragraph (1), point b. become Open Data 4 (four) years after received from Pertamina or Contractor, except Basic Data obtained from General Survey, which directly become Open data as referred to in Article 3, paragraph (2), point b.
3. Status of Processed Data as mentioned in Article 3, paragraph (1), point c, become Open Data 6 (six) years after received from Pertamina or Contractor, except for Processed Data obtained from processing of Basic Data of General Survey, which directly become Open Data as referred to in Article 3, paragraph (2), point b.
4. Status of Interpretive Data as mentioned in Article 3, paragraph (1), point d, become Open Data 8 (eight) years after received from Pertamina or Contractor, except Interpretive Data resulted from interpretation of Basic Data or Processed Data obtained from General Survey, which directly become Open Data as referred to in Article 3, paragraph (2), point b.

Article 9

The Director General can expedite or postpone the time period of status change from Restricted Data to Open Data of the Basic Data, Processed Data and Interpretive Data types as mentioned in Article 8, as follows:

1. Expedition is decided following a proposal by Pertamina or Contractor for Data from their Mining Concession Area or Working Area, based on consideration of the operational interest of Pertamina or Contractor.
2. The postponement is decided following a proposal by Pertamina or Contractor for Data from their Mining Concession Area or Working Area, based on consideration of location of the Mining Concession Area or Working Area, with an additional time period of Restricted Data status at the longest by 6 (six) years.

Article 10

If the Mining Concession Area or Working Area is returned to the Government:

1. Data obtained by Pertamina or Contractor including their copies shall be submitted to the Director General.
2. Head of Pertamina or Contractor shall be responsible for the completeness, correctness and originality of the Data submitted to the Director General.
3. Restricted Data as mentioned in Article 3, paragraph (2), point a, from the Mining Concession Area or Working Area shall become Open Data.

CHAPTER VI ACQUISITION, MANAGEMENT AND PUBLICATION OF DATA

Article 11

1. The Data acquisition activities of General Survey shall be done by the Directorate General.
2. The Data acquisition activities of Exploration and Exploitation at the Mining Concession Area or Working Area shall be done by Pertamina or the authorized Contractor.

Article 12

In case for the sake of completeness of General Survey data, a General Survey should be done at part of the Mining Concession Area or Working Area, the operator of the General Survey shall inform Pertamina or the authorized Contractor in advance.

Article 13

The Directorate General implements Data Management in an integrated system that including activities of storage, processing, arrangement, and utilization.

Article 14

1. Data as mentioned in Article 2, paragraph (1) and Article 3, paragraph (1) can be made available for public with concerning to Data confidentiality as referred to in Article 8.
2. Further classification of data type as mentioned in paragraph (1) shall be stipulated by the Director General.

Article 15

1. In order to implement the acquisition of the General Survey Data, management and publication of data as mentioned in Article 11, paragraph (1), Articles 13 and 14, the Director General can assign Other Party.
2. The Other Party as mentioned in paragraph (1) shall fulfill the following requirements:
 - a. Indonesian legal entity.

- b. To have experts and experiences in acquisition, management and publication of data.
- c. To have funding capability.
- 3. The appointed Party as referred to in paragraph (1) shall carry out its work on behalf of the Directorate General as the Data owner as referred to in Article 2, paragraph (1), based on an agreement and shall be in accordance with the prevailing regulations.

Article 16

- 1. Use of Data by Pertamina and Contractor shall be in purpose to support the activities of Exploration and Exploitation of oil and gas.
- 2. Use of Data either by Pertamina or Contractor or Other Party with other purpose than as mentioned in paragraph (1), shall be approved by the Director General.

CHAPTER VII CULTIVATION AND SUPERVISION

Article 17

The Director General c.q. Director of Exploration and Production cultivates and supervises the implementation activities of Pertamina and Contractor in the data acquisition and management and Other Party appointed as operator in the Data acquisition, management and publication.

CHAPTER VIII REMASTERING AND DESTRUCTION OF DATA

Article 18

In order to maintain the quality, use and management cost reduction, data can be remastered and/or be transferred to other storage media.

Article 19

Data which have been deteriorated and have no value to use, can be destroyed with the following procedures:

- 1. It has been evaluated by the Data Evaluation Team established by the Director General.
- 2. Data must be totally destroyed, so that it cannot be identified any more, either its contents or forms.
- 3. The destruction of data shall be witnessed by at least 2 (two) staff of the Directorate General.
- 4. The data destruction shall be implemented with List of Data Destroyed and Minute of Data Destruction.

Article 20

Data Copy, which are no longer be used, shall be destroyed.

**CHAPTER IX
OTHER STIPULATIONS AND CONCLUSION**

Article 21

The Director General establish further provision of the implementation of acquisition, management and procedure on publication of Data, as mentioned in Articles 11, 13 and 14.

Article 22

For data inventory, Pertamina and Contractor shall submit a report to the Director General regarding all Data under their possession.

Article 23

This Ministerial Decree becomes effective on the date of its establishment.

Established in Jakarta
On October 10th, 1997

The Minister of Mines and Energy

(signed)

I. B. Sudjana

This non-formal translation is provided by PT. Patra Nusa Data