



# GOVERNMENT REGULATIONS

## MINING AREAS

(Government Regulation No. 22/2010 dated February 1, 2010)

BY THE GRACE OF GOD ALMIGHTY  
THE PRESIDENT OF REPUBLIC OF INDONESIA,

Considering:

That to implement provisions in Articles 12, 19, 25, 33, and 89 of Law No. 4/2009 on Mineral and Coal Mining, it is necessary to stipulate Government Regulation on Mining Areas;

In view of:

1. Article 5 paragraph (2) of the 1945 Constitution;
2. Law No. 4/2009 (BN No. 7770 pages 1A-19A and so on) on Mineral and Coal Mining (Statute Book of 2009 No. 4, Supplement to Statute Book No. 4959);

**DECIDES:**

To stipulate:

**GOVERNMENT REGULATION ON MINING AREAS.**

### CHAPTER I GENERAL PROVISIONS

#### Article 1

Referred to in this Government Regulation as:

1. Mining is a partial or whole phase of activities carried out within the framework of mineral or coal research, management and exploitation covering general investigation, exploration, feasibility study, construction, mining, processing and purification, transportation and sales, and post-mining activities.
2. Mineral is unorganic compound formed in nature and having certain physical and chemical characters and regular crystal structures or a combination of them forming rock in a separate or integrated way.
3. Coal is carbonate organic compound sediment formed naturally from plant residues.
4. Mineral mining is the mining of mineral groups in the form of ore or rock outside geothermal energy, natural oil and gas as well as ground water.
5. Coal mining is the mining of carbon sediment found in the earth including solid bitument, peat land and asphalt rock.
6. Mining business is the activity carried out within the framework of mineral or coal business covering the phases of general investigation, exploration, feasibility study, construction, mining, processing and purification, transportation and sales, and post-mining activity.
7. Exploration is the phase of mining business activity to get detailed and accurate information on the location, form, dimension, spread, quality and measurable source of mineral as well as on the social condition and the environment.
8. Mining area, hereinafter referred to as WP, is an area having mineral and/or coal potentials and not tied to the administrative borders of government constituting part of the national spatial layout plan.

9. Mining business area, hereinafter referred to as **WUP**, is part of WP having the availability of data, potentials, and/or geological information.
10. Mining business permit area, hereinafter referred to as **WIUP**, is an area given to the holder of mining business permit.
11. Smallholder mining area, hereinafter referred to as **WPR**, is part of WP where smallholder mining business activities are carried out.
12. State reserve area, hereinafter referred to as **WPN**, is part of WP reserved in the interest of national strategy.
13. Special mining business area, hereinafter referred to as **WUPK**, is part of WPN that can be operated.
14. Special mining business permit area in **WUPK**, hereinafter referred to as **WIUPK**, is an area given to the holder of special mining business permit.
15. Central government, hereinafter referred to as the Government, is the President of the Republic of Indonesia holding the authority of the Government of the Republic of Indonesia as referred to in the 1945 Constitution.
16. Minister is the minister carrying out the government affairs in the mineral and coal mining.

#### Article 2

- (1) WP is an area having mineral and/or coal potentials either in land surface or beneath land, found in land territory or sea territory for mining activities.
- (2) Areas that can be declared as WP as referred to in paragraph (1) shall have the criteria :
  - a. indication of rock formation carrying mineral and/or carrying coal; and/or
  - b. potential sources of solid and/or liquid mineral.

- (3) The preparation of areas as referred to in paragraph (2) is made through :
  - a. the planning of WP; and
  - b. the designation of WP.

### CHAPTER II

#### THE PLANNING OF MINING AREAS

##### Part One

##### General

##### Article 3

The planning of WP as referred to in Article 2 paragraph (3) letter a is conducted through the following phases:

- a. inventorizing mining potentials; and
- b. making plans for WP.

##### Part Two

##### Inventorizing Mining Potentials

##### Article 4

- (1) Inventorizing the mining potentials as referred to in Article 3 letter a is directed towards gathering data and information on mining potentials that can be used as the basis for making plans for the designation of WP.
- (2) The mining potentials as referred to in paragraph (1) consist of :
  - a. mineral mining; and
  - b. coal mining.
- (3) The mineral and coal mining as referred to in paragraph (2) is classified into 5 (five) types of mining commodities:
  - a. radioactive mineral;
  - b. metal mineral;
  - c. non-metal mineral;
  - d. rock; and
  - e. coal.

- (4) Provisions on the mining commodities as referred to in paragraph (3) are to be provided for in a separate Government Regulation.

#### Article 5

- (1) The inventory of mining potentials is made through mining investigation and research.
- (2) Mining investigation and research are conducted to get data and information.
- (3) The data and information as referred to in paragraph (2) contain :
- a. formation of rock carrying metal mineral and/or coal;
  - b. geological data as a result of the evaluation of mining activities that are still going on, have been terminated, and/or have been returned to the Minister, governor, or regent/mayor according to their respective authority;
  - c. licencing data as a result of the inventory of licences that are still valid, have been expired and/or have been returned to the Minister, governor, or regent/mayor according to their respective authority; and/or
  - d. interpretation of remote sensing either in the form of structure pattern or litological expanse.

#### Article 6

- (1) The mining investigation and research as referred to in Article 5 are carried out by :
- a. The Minister, for investigation and research in the areas as follows:
    1. cross provincial areas;
    2. sea with a distance of more than 12 (twelve) miles from the coastline; and/or
    3. areas bordering other countries;

- b. governor, for investigation and research in the areas as follows:
  1. cross regency/municipal areas; and/or
  2. sea with a distance of 4 (four) to 12 (twelve) miles from the coastline;

- c. regent/mayor, for investigation and research in the areas as follows :

1. regency/municipality; and/or
2. sea up to 4 (four) miles from the coastline.

- (2) If the sea territory is located between 2 (two) provinces with a distance of less than 24 (twenty-four) miles, the investigation and research areas for each of the provinces shall be divided in equal distance according to the principle of mid line.

- (3) The authority of the regent/mayor in the sea territory as referred to in paragraph (2) shall be as far as 1/3 (one-third) from the coastline of each authoritative territory of the governor.

#### Article 7

The mining investigation and research as referred to in Article 5 shall be conducted by the Minister, governors, and regents/mayors in a coordinated way according to their authority.

#### Article 8

- (1) In conducting mining investigation and research, the Minister or governor can assign state research institute and/or regional research institute.
- (2) The assignment as referred to in paragraph (1) is made to support the preparation of WP and develop mining science and technology.

- (3) In certain cases, the state research institute can cooperate with a foreign research institute after securing approval from the Minister according to the law.

#### Article 9

- (1) The state research institute and/or regional research institutes as referred to in Article 8 paragraph (1) shall:
- a. store, safeguard, keep secret the data and information on mining potentials as a result of investigation and research according to the law; and
  - b. hand over all data and information on mining potentials to the Minister or the governor giving the assignment.
- (2) The foreign research institute as referred to in Article 8 paragraph (3) shall :
- a. store, safeguard and keep secret the data and information on mining potentials as a result of investigation and research according to the law; and
  - b. hand over all data and information on mining potentials obtained to the state research institute with which it cooperates no later than the expiry date of the cooperation.

#### Article 10

- (1) The Minister or governor shall according to their respective authority set the area of assignment for mining investigation and research to be conducted by the state research institute and/or regional research institute and put it in a map.
- (2) In setting the area of assignment as referred to in paragraph (1) the Minister shall coordinate with the governor and regent/mayor concerned.

- (3) In setting the area of assignment as referred to in paragraph (1) the governor shall coordinate with the Minister and regent/mayor concerned.
- (4) The regent/mayor can propose an area of assignment to the Minister or governor to conduct mining investigation and research.

#### Article 11

The map as referred to in Article 10 paragraph (1) serves as the basis for assigning the state research institute and/or regional research institute to conduct mining investigation and research.

#### Article 12

- (1) Data and information on the results of mining investigation and research conducted by the Minister, governors, and regents/mayors shall be processed into a map of mineral and/or coal potentials.
- (2) Data and information on the results of mining investigation and research conducted by research institutes based on assignment given by the Minister, or governors shall be processed into a map of mineral and/or coal potentials.
- (3) The map of mineral and/or coal potentials as referred to in paragraphs (1) and (2) shall at least contain information on the formation of rock carrying mineral and/or coal.
- (4) Governors and regents/mayors shall submit a map of mineral and/or coal potentials as referred to in paragraphs (1) and (2) to the Minister.
- (5) Based on the map of mineral and/or coal potentials as referred to in paragraph (4), the Minister shall conduct evaluation.

(6) The.....

- (6) The results of evaluation as referred to in paragraph (5) shall be used by the Minister as an input to make a plan for WP.

#### Article 13

Further provisions on the procedure of giving the assignment of mining investigation and research are to be provided for in the regulation of the Minister.

### Part Three

#### The Making of Plan for Mining Areas

#### Article 14

- (1) The plan for WP as referred to in Article 12 paragraph (6) shall be put in a digital map.
- (2) The map as referred to in paragraph (1) shall depict WP in the form of delineated zone in broken lines.
- (3) The plan for WP as referred to in paragraph (1) shall be used as the basis for the designation of WP.

### CHAPTER III

#### THE DESIGNATION OF MINING AREAS

#### Part One

#### General

#### Article 15

- (1) The plan for WP as referred to in Article 14 paragraph (3) shall be endorsed by the Minister into WP after coordinating with the governor, regent/mayor concerned and consulting the House of Representatives of the Republic of Indonesia.
- (2) WP can be reviewed once every 5 (five) years.
- (3) The governor, regent/mayor can according to their respective authority propose a change in

WP to the Minister based on the results of investigation and research.

#### Article 16

- (1) WP as referred to in Article 15 paragraph (1) can consist of:
  - a. WUP;
  - b. WPR; and/or
  - c. WPN.
- (2) WUP and WPN as referred to in paragraph (1) letters a and c shall be endorsed by the Minister.
- (3) WPR as referred to in paragraph (1) letter b shall be endorsed by the regent/mayor concerned.
- (4) The Minister can delegate the authority of endorsing WUP for non-metal mineral mining and WUP for rock mining located in more than 1 (one) regencies/municipalities and in 1 (one) regency/municipality in 1 (one) province to the governor.
- (5) To endorse WUP, WPR, and WPN as referred to in paragraphs (2) and (3), the Minister, governor, or regent/mayor according to their respective authority can conduct exploration.
- (6) The exploration as referred to in paragraph (5) is conducted to get data and information in the form of :
  - a. map consisting of :
    1. geological map and formation map regarding the formation of carrier rock; and/or
    2. geochemical map and geophysical map;
  - b. the estimate of resources and reserves.
- (7) In conducting the exploration as referred to in paragraph (5) the Minister shall coordinate with the governor and regent/mayor concerned.

- (8) In conducting the exploration as referred to in paragraph (5) the governor shall coordinate with the Minister and regent/mayor concerned.
- (9) In conducting the exploration as referred to in paragraph (5) the regent/mayor shall coordinate with the Minister or governor.

#### Article 17

- (1) Data and information on the results of exploration conducted by the governor and regent/mayor shall be processed into a map of mineral and/or coal potentials/reserves.
- (2) The map of mineral and/or coal potentials/reserves as referred to in paragraph (1) shall at least contain the spread of mineral and/or coal potentials/reserves.
- (3) Governors and regents/mayors shall submit mineral and/or coal potentials as referred to in paragraph (1), along with a report on the results of exploration to the Minister.
- (4) The map of mineral and/or coal potentials/reserves as referred to in paragraph (2) shall be made in the form of map and digital sheet.

#### Part Two

#### Mining Business Areas

#### Paragraph 1

#### General

#### Article 18

WUP as referred to in Article 16 paragraph

- (1) letter a consist of :
- a. radioactive mineral WUP;
  - b. metal mineral WUP;
  - c. coal WUP;
  - d. non-metal mineral WUP; and/or
  - e. rock WUP.

#### Article 19

- (1) WUP shall be set by the Minister.
- (2) Radioactive mineral WUP shall be set by the Minister based on a proposal from the agency carrying out administrative affairs in the nuclear field.

#### Paragraph 2

#### The Making of Plan To Set Mining Business Areas

#### Article 20

- (1) The Minister or governors shall according to their respective authority make a plan to declare an area in WP as WUP based on the map of mineral and/or coal potentials as referred to in Article 12 paragraph (1) as well as on the map of mineral and/or coal potentials/reserves as referred to in Article 17 paragraph (1).
- (2) WUP as referred to in paragraph (1) shall meet criteria as follows:
- a. having the formation of rock carrying coal, the formation of rock carrying metal mineral, and/or the formation of rock carrying radioactive mineral, including offshore areas based on a geological map;
  - b. having geological disclosure for radioactive mineral, metal mineral, coal, non-metal mineral, and/or rock;
  - c. having potential mineral or coal resources;
  - d. having 1 (one) or more types of mineral including mineral derivatives and/or coal;
  - e. not overlapping with WPR and/or WPN;
  - f. constituting an area that can be used as sustainable mining activities; and
  - g. constituting an area earmarked for mining according to the spatial layout plan.

### Paragraph 3

#### The Setting of Mining Business Areas

##### Article 21

- (1) Areas in WP as referred to in Article 20 paragraph (1) that meet criteria shall be declared as WUP by the Minister after coordinating with the governor and regent/mayor concerned.
- (2) WUP as referred to in paragraph (1) can consist of :
  - a. radioactive WIUP;
  - b. metal mineral WIUP;
  - c. coal WIUP;
  - d. non-metal mineral WIUP; and/or
  - e. rock WIUP.
- (3) The setting of WUP as referred to in paragraph (1) shall be submitted in writing by the Minister to the House of Representatives of the Republic of Indonesia.
- (4) Provisions on the procedure of setting WUP are to be provided for in the Regulation of the Minister.

### Paragraph 4

#### The Setting of Mining Business Permit Areas

##### Article 22

- (1) To set WIUP in a WUP as referred to in Article 21 paragraph (2) the following criteria shall be met:
  - a. geographical site;
  - b. conservation principles;
  - c. environment-supporting capacity;
  - d. optimizing mineral and/or coal resources; and
  - e. population density rate.
- (2) If non-metal mineral and/or coal WIUP is located in :
  - a. more than 1 (one) provinces and/or sea territory more than 12 (twelve) miles from the

coastline, it shall be set by the Minister in WUP;

- b. more than 1 (one) regencies/municipalities and/or sea territory 4 (four) miles to 12 (twelve) miles from the coastline, it shall be set by the governor in WUP; and/or
  - c. regency/municipality and/or sea territory up to 4 (four) miles from the coastline, it shall be set by the regent/mayor in WUP.
- (3) In sea territory located between 2 (two) provinces sharing a common border with a distance of less than 24 (twenty-four) miles, the authoritative territory of each province shall have the same distance according to the principle of mid line.
  - (4) The authority of the regent/mayor in the sea territory as referred to in paragraph (2) shall be as far as 1/3 (one-third) from the coastline of the authoritative territory of the governor.
  - (5) The setting of non-metal mineral and/or rock WUP as referred to in paragraph (2) letters b and c can be delegated by the Minister to the governor according to the law.
  - (6) The Minister, governor, or regent/mayor shall according to their respective authority set the area and borders of non-metal mineral and/or rock in a WUP based on the criteria as referred to in paragraph (1).
  - (7) The Minister shall set the area and borders of metal mineral and/or coal WIUP in a WUP based on the criteria as referred to in paragraph (1).

##### Article 23

- (1) Metal mineral and/or coal WIUP shall be set by the Minister after coordinating with the governor and regent/mayor concerned.

(2) Non-metal mineral and/or coal WIUP shall be set by the Minister, governor, or regent/mayor according to their respective authority based on applications from corporate bodies, cooperatives or individuals according to the law.

#### Article 24

If metal mineral and/or coal WIUP holds other mining commodities, prior WIUP shall be set to manage the other mining commodities.

#### Article 25

Provisions on the issuance of WIUP are to be provided for in a separate Government Regulation.

### Part Three

#### Smallholder Mining Areas

#### Article 26

(1) Regents/mayors shall make plans to declare an area in WP as WPR as referred to in Article 16 paragraph (1) letter b based on the map of mineral and/or coal potentials as referred to in Article 12 paragraph (1) as well as on the map of mineral and/or coal potentials/reserves as referred to in Article 17 paragraph (1).

(2) WPR as referred to in paragraph (1) shall meet criteria as follows :

- a. having secondary mineral reserves found in the river and/or between river sides;
- b. having primary metal or coal reserves at a maximum depth of 25 (twenty-five) meters;
- c. constituting terraced sediment, flood plain, and ancient river sediment;
- d. the maximum area of WPR is 25 (twenty-five) hectares;

- e. mentioning the types of commodities to be mined; and/or
- f. constituting smallholder mining area or site that has been done for at least 15 (fifteen) years;
- g. not overlapping with WUP and WPN; and
- h. constituting an area earmarked for mining according to the spatial layout plan.

#### Article 27

- (1) The area in WP as referred to in Article 26 that has met the criteria shall be declared as WPR by the regent/mayor concerned after coordinating with the provincial government and consulting with the regency/municipal Legislative Assembly.
- (2) The setting of WPR as referred to in paragraph (1) shall be submitted in writing by the regent/mayor to the Minister and governor.
- (3) The coordination as referred to in paragraph (1) shall be done to get considerations related to data and information owned by the provincial government concerned.
- (4) The consultation with the regency/municipal Legislative Assembly as referred to in paragraph (1) is aimed at obtaining considerations,

### Part Four

#### State Reserve Areas

#### Paragraph 1

#### General

#### Article 28

In the interests of national strategy, the Minister shall set WPN as referred to in Article 16 paragraph (1) letter c after securing a seal of approval from the House of Representatives of the Republic of Indonesia.



### Paragraph 2

#### The Making of Plan To Set State Reserve Areas

#### Article 29

- (1) The Minister shall make a plan to declare an area in WP as WPN based on the map of mineral and/or coal potentials as referred to in Article 12 paragraph (1) and the map of mineral and/or coal potentials/reserves as referred to in Article 17 paragraph (1).
- (2) WPN as referred to in paragraph (1) shall meet the criteria as follows :
  - a. having the formation of rock carrying radioactive mineral, metal mineral, and/or coal based on a geological map/data;
  - b. having geological disclosure for radioactive mineral, metal and/or coal based on a geological map/data;
  - c. having mineral and/or coal potentials/reserves; and
  - d. for the purpose of mining commodity conservation;
  - e. located in an area and/or island bordering other country;
  - f. constituting protected areas; and/or
  - g. located on a small island covering a maximum area of 2,000 (two thousand) square kilometers according to the law.

### Paragraph 3

#### The Setting of State Reserve Areas and Special Mining Business Areas

#### Article 30

- (1) Areas in WP as referred to in Article 29 paragraph (1) that meet criteria shall be declared as WPN by the Minister after paying attention to regional aspirations and securing a seal of approval from the House of Representatives of the Republic of Indonesia.

- (2) WPN as referred to in paragraph (1) can consist of 1 (one) or several WUPK.

### Article 31

- (1) Part of the area of WPN set for certain commodities can be managed after a change in its status into WUPK with approval from the House of Representatives of the Republic of Indonesia.
- (2) The Minister shall propose the change in status as referred to in paragraph (1) by considering :
  - a. the fulfilment of the domestic need for industrial raw materials and energy;
  - b. the source of the state's foreign exchange earnings;
  - c. the regional condition based on limited infrastructures and facilities;
  - d. the potentials to develop it into an economic growth center;
  - e. the environment-supporting capacity; and/or
  - f. the use of high technology and large investment.

### Paragraph 4

#### The Setting of Special Mining Business Permit Areas

#### Article 32

- (1) To set WIUPK in a WUPK as referred to in Article 30 paragraph (2) the following criteria shall be met:
  - a. geographical site;
  - b. conservation principles;
  - c. environment-supporting capacity;
  - d. optimizing mineral and/or coal resources; and
  - e. population density rate;

(2) WUPK as referred to in paragraph (1) consists of :

- a. metal mineral WIUPK; and/or
- b. coal WIUPK.

(3) The area and borders of metal mineral and/or coal WIUP in a WUPK shall be set by the Minister based on the criteria as referred to in paragraph (1):

#### **Article 33**

If other mining commodities are found in metal mineral and/or coal WIUPK, to exploit the other mining commodities WIUPK shall first be set.

#### **Article 34**

Provisions on the granting of WIUPK are to be provided for in a separate Government Regulation.

#### **Part Five**

#### **The Delineation of Zones for WIUP or WIUPK Production Operations In Protected Areas**

#### **Article 35**

(1) The map of zoning for WIUP exploration and WIUPK exploration in protected areas can be delineated into the map of zoning for WIUP production operation or WIUPK production operation.

(2) The delineation of zoning as referred to in paragraph (1) shall be done based on the results of a feasibility study by observing the balance between the cost and benefit as well as between the risk and benefit in converting protected areas.

(3) The balance between the cost and benefit and between the risk and benefit as referred to in

paragraph (2) shall be done by considering at least reclamation, post-mining, technology, sustainable community development program, and environmental management according to the law.

(4) Further provisions on the procedure of delineation are to be provided for in the Regulation of the Minister.

#### **CHAPTER IV**

#### **DATA AND INFORMATION**

#### **Part One**

#### **The Management of Data and Information**

#### **Article 36**

(1) The Government, provincial governments, and regency/municipal governments shall manage data and/or information on mining activities according to their respective authority.

(2) The management of data and/or information covers the gathering, administration, management, arrangement, storage, maintenance and destruction of data and/or information.

(3) The provincial governments or regency/municipal governments shall convey data and/or information on mining businesses to the Government.

(4) The data and information as referred to in paragraphs (1) and (2) shall belong to the state and be managed by the Minister.

(5) The results of the management of data and/or information as referred to in paragraph (4) shall be used to :

- a. set the classification of potentials and WP;
- b. determine the balance sheet of national mineral and coal resources and reserves; or
- c. develop mineral and coal science and technology.

### Article 37

Further provisions on the procedure of managing data and/or information are to be provided for in the Regulation of the Minister.

### Part Two

#### Geographical Information System

### Article 38

- (1) WP shall be managed by the Minister in a nationally-integrated WP information system to harmonize the coordinate system and basic map in issuing WUP, WIUP, WPR, WPN, WUPK, and WIUPK.
- (2) The coordinate system of mapping WUP, WIUP, WPR, WPN, WUPK, and WIUPK as referred to in paragraph (1) shall use the National Geodesy Datum set by the government agency carrying out the government affairs in the national survey and mapping fields.
- (3) The WP information system as referred to in paragraph (1) shall be accessible by provincial governments and regency/municipal governments.
- (4) Further provisions on the WP information system are to be provided for in the Regulation of the Minister.

### CHAPTER V

#### TRANSITIONAL PROVISIONS

### Article 39

When this Government Regulation begins to take effect:

1. The agencies of the Government, provincial governments or regency/municipal governments which have not used the coordinate system of mapping based on the National Geodesy Datum

set by the government agency carrying out government affairs in the national survey and mapping field shall adjust to it no later than 6 (six) months.

2. Regional mining permit areas and mining concession areas that have been granted to the holders of regional mining permits or mining concessions based on the regulation before the issuance of this Government Regulation shall be declared as WIUP in WUP based on this Government Regulation no later than 3 (three) months since this Government Regulation was put into force.
3. The areas of contract of work and the areas of coal mining business agreement that have been issued to the holders of contract of work and the holders of coal mining business agreement based on the regulation before the issuance of this Government Regulation shall be set in WUP according to this Government Regulation no later than 3 (three) months since this Government Regulation was put into force.

### CHAPTER VI

#### CONCLUSION

### Article 40

When this Government Regulation begins to take effect, all implementation regulations concerning mining areas shall remain valid, provided that they do not contradict this Government Regulation.

### Article 41

This Government Regulation shall come into force as from the date of promulgation.

For public cognizance, this Government Regulation shall be promulgated by placing it in the Statute Book of the Republic of Indonesia.

Endorsed in Jakarta

on February 1, 2010

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

sgd.

DR.H.SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta

on February 1, 2010

THE MINISTER OF LAW AND HUMAN RIGHTS,

sgd.

PATRIALIS AKBAR

STATUTE BOOK OF THE REPUBLIC OF INDONESIA OF

2010 NO. 28

ELUCIDATION

OF

GOVERNMENT REGULATION

NO. 22/2010

ON

MINING AREAS

## I. GENERAL

Mining activities in Indonesia have concretely opened and developed remote areas. The development of new growth centers in several parts of the country has benefited the development of basic infrastructures, raised state revenues, and created job opportunities.

Mineral and coal mining business activities are expected to boost development, particularly in the eastern part of Indonesia.

The development of the mineral and coal mining sector must be based on good and proper mining practices by observing the basic elements of sustainable development practices, from the point of economic, social, or environmental view.

Mineral and coal mining activities have strategic potentials to meet the need of the mankind, directly or indirectly.

Mineral and coal contained in the Indonesian mineral and coal mining areas have unrenewable characteristics, spread unevenly, were formed millions of years ago, are not found in plain view, exist scientifically and are immovable. In addition to playing an important role in meeting the needs of people at large, mineral and coal mining can also have an impact on the environment, have high risk and cost to explore and produce it, and have economic value that can change in tandem with a change in time and technology and therefore, mining areas must be set by observing integrity, use of space within the framework of the Unitary State of the Republic of Indonesia, in a sustainable way based on environment-supporting capacity.

The use of mineral and coal resources has the same position as the use of other natural resources in a spatial layout so that they must be managed wisely to give added value to the national economy and used optimally to improve the people's living standard.

In an effort to give a chance to the people living near mineral and coal mining areas, either individuals, community or cooperatives to carry out mining business activities, smallholder mining areas are set.

In connection with the above matters, it is necessary to stipulate Government Regulation on mining areas which deals with mining investigation and research, planning and setting of WP, WUP, WIUP, WPN, WUPK, WIUPK, and WPR, data and information as well as geographic information system.

**II. ARTICLE BY ARTICLE**

**Article 1 up to Article 7**  
Sufficiently clear.

**Article 8**  
**Paragraph (1) and Paragraph (2)**  
Sufficiently clear.

**Paragraph (3)**  
Referred to as "in certain cases" are among others technical cooperation between the Government and foreign governments, both bilateral, regional and multilateral.

**Article 9 up to Article 11**  
Sufficiently clear.

**Article 12**  
**Paragraph (1)**  
Data and information processed to make a map of mineral potentials use national standard of processing geological data.

**Paragraph (2) up to Paragraph (6)**  
Sufficiently clear.

**Article 13 up to Article 20**  
Sufficiently clear.

**Article 21**  
**Paragraph (1)**  
Coordinating referred to herein is meant to set the borders and area of metal mineral and/or coal WIUP.

**Paragraph (2) up to Paragraph (4)**  
Sufficiently clear.

**Article 22 up to Article 25**  
Sufficiently clear.

**Article 26**  
**Paragraph (1)**  
Sufficiently clear.

**Paragraph (2)**  
**Letter a**  
Referred to as "side and riverside" are accumulation areas of secondary mineral enrichment (pay streak) in a river meander.

**Letter b up to Letter h**  
Sufficiently clear.

**Article 27 up to Article 30**  
Sufficiently clear.

**Article 31**  
**Paragraph (1)**  
Certain commodities include copper, tin, gold, iron, nickel, bauxite, and coal.

**Paragraph (2)**  
Sufficiently clear.

**Article 32 up to Article 41**  
Sufficiently clear.

**SUPPLEMENT TO STATUTE BOOK OF  
THE REPUBLIC OF INDONESIA NO. 5110**

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