

RECENT DEVELOPMENTS

BP Migas dissolved as of Tuesday: MK

Jakarta (ANTARA News) - Chief of the Constitutional Court Mahfud MD said the Upstream Oil and Gas Executive Agency (BP Migas) was dissolved after the court read its decision on the judicial review of the oil and gas law on Tuesday, November 13th.

"It was dissolved as of 11.00 a.m western Indonesian time and all its regulatory functions are handed to the Energy and Mineral Resources Ministry," he said.

The ongoing contracts between BP Migas and other parties will be valid until they expire or new contracts are made, he said.

The Constitutional Court has ruled that articles governing the tasks and functions of BP Migas in Law No. 22 of 2001 on Oil and Gas run counter to the 1945 Constitution and have no binding legal force.

"The government in this case the relevant ministry is required to carry out the functions and tasks of the Oil and Gas Regulatory Body until a new law to that effect is promulgated," Mahfud said as he read the court's decision on the judicial review of the oil and gas law earlier in the day.

Articles which are against the constitution are article 11 sub-article (1), article 20 sub-article (3), article 21 sub-article (1), and article 49.

"All matters related to the executive body in the elucidation of the oil and gas law contradict the 1945 Constitution and have no binding legal force," he said.

The Constitutional Court also ruled that Article 1 point 23, Article 4 sub-article (3), Article 41 sub-article (2), Article 44, Article 45, Article 48 sub-article (1), Article 59 letter a, Article 61, and Article 63 of the oil and gas law are also against the constitution and have no binding legal force.

The judicial review was called at the request of 30 figures and 12 mass organizations including the Solidarity for Parking Attendants, Street Vendors, Employers and Employees (SOJUPEK), Association of Indonesian Islamic Preachers (IKADI), Islamic organization Muhammadiyah, Muslim group Hizbut Tahir Indonesia, and Association of Indonesian Muslims.

They are of the view that the law has led to the liberalization of the oil and gas sector.

Source: <http://www.antaranews.com/en/news/85578/bp-migas-dissolved-as-of-tuesday-mk>

LEGAL NEWS



On November 13, MKK and [Adaro](#) hosted a conference on *Sustainable Mining* which featured 6 presentations and discussion sessions delivered by experts in various fields. Over 60 people attended the conference hosted by the Mercantile Athletic Club in the World Trade Center. The following talks were given:

Sustainable Mining: The Adaro Way

--- Wisnu Susetyo

Toward Greater Efficiency in Mining

---Arian Ardie (Terrasys Energy)

Biodiversity Management for Mining Operations

--Bambang T. Sasongko (Hatfield)

Legal Environment in the Mining Sector

---Karl Park, Ahmad Djoyosugito

The Stage Gate Process in Mining

--William Tei (SNC Lavalin)

For more details on the above presentations, please contact mail@mkklaw.net for speaker/company details or for a text of the presentation itself.

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