

## Summary of Government Regulation No. 2 of 2026 and No. 21 of 2026 on the second & third amendment of Government Regulation No. 8 of 2025 on Foreign Export Proceeds from Natural Resources\*

### Highlights of the regulation

GR No. 2/2026 was prepared and ready for issuance in February 2026 but was deferred pending monitoring of global trade developments. The principal substantive difference between the two instruments is a change in the language of Article 18A in GR No. 2/2026 referred specifically to “reciprocal trade agreements” while GR No. 21/2026 broadened this to “bilateral agreement” widening the potential scope of qualifying partners beyond the United States. The Article 18A carve-out is limited to the mining sector only.

Issue	Details
<b>Effective date</b>	1 June 2026. Applies to export declarations issued from 26 February 2026 onward.
<b>Who must comply</b>	All Indonesian natural resource exporters with export value of USD 250,000 or more per export declaration
<b>Sectors covered</b>	Mining, plantations, forestry, fisheries
<b>Core obligation</b>	Repatriate 100% of export proceeds into Indonesia's financial system and retain a specified percentage in a DHE SDA special escrow account ( <i>Rekening Khusus</i> ) at a state-owned bank
<b>Enforcement</b>	Administrative suspension of export services for non-compliance (Article 16)
<b>Regulator</b>	<ol style="list-style-type: none"> <li>1. Bank Indonesia</li> <li>2. Financial Services Authority (OJK)</li> <li>3. Ministry of Finance</li> </ol>
<b>Transition Provision</b>	Exporters fulfilling obligations under GR No. 8/2025 as of 1 June 2026 are deemed compliant under the prior regulation. New obligations attach to the Export Notification of Goods ( <i>Pemberitahuan Ekspor Barang/PEB</i> ) issued from 1 June 2026 onward. Proceeds already placed in escrow at a non-state-owned bank must be moved to a state-owned bank escrow account, with placement no later than 3 months after the relevant month’s PEB issuance date.

### Repatriation and Retention Obligations

Sector	Repatriation	Retention	Minimum Tenor	Banks
<b>Oil and gas</b>	100%	Min. 30%	3 months	State-owned banks only
<b>Non-oil and gas</b>	100%	100%	12 months	State-owned banks only
<b>Mining for bilateral treaty countries (Article 18A)*</b>	100%	Min. 30%	3 months	Any OJK-licensed FX bank, including non-state-owned banks and rupiah conversion also at any FX-licensed bank

\* Article 18A applies to reciprocal bilateral trade agreements that explicitly contain DHE SDA provisions. The United States qualifies. Article 18A applies to the mining sector only, palm oil and coal exporters from bilateral partner countries are subject to the standard state-owned bank only rules. Eligibility is determined by the foreign shareholder composition of the Indonesian exporter with foreign shareholders from a qualifying bilateral partner country holding above 10%, not by the destination country of the shipment. The full list of qualifying bilateral agreements will be determined through an inter-ministerial coordination meeting convened by the Coordinating Minister for Economic Affairs. Other countries may qualify in addition to the US if their bilateral arrangement with Indonesia meets the criteria.

**Permitted Uses of the Foreign Export Proceeds white retained in the escrow account**

<b>Permitted Use (Article 11 A)</b>	<b>Scope</b>
<b>Tax and government obligations</b>	Tax, non-tax state revenue (PNBP), and other government charges in foreign currency
<b>Dividend payments</b>	Dividend payments in foreign currency
<b>Goods and services procurement</b>	Raw materials, auxiliary materials, capital goods, and services in FX no longer restricted to items unavailable domestically
<b>Loan repayment</b>	Repayment of FX loans for capital goods and working capital
<b>FX to rupiah conversion</b>	Maximum 50% of DHE placed in special escrow account in the relevant month must be executed at a state-owned bank

**Supporting Measures from Bank Indonesia and OJK**

<b>Authority</b>	<b>Measure</b>	<b>Detail</b>
<b>Bank Indonesia</b>	<b>Multi-currency expansion</b>	<p>Non-USD currencies accepted for state-owned banks term deposits, tenors up to 12 months. Bank Indonesia Board of Governors Regulation (PADG) adjusted to allow foreign bank branches (KCBLN) from bilateral MoU countries.</p> <p><u>Bank Indonesia also confirmed it will open DHE term deposit instruments in non-USD currencies, with RMB specifically flagged for exports to China.</u></p> <p><u>Bank Indonesia is also working with the government toward issuing domestic foreign-currency government bonds (SUN/SBSN Valas) as an additional placement instrument.</u></p>
<b>Bank Indonesia</b>	<b>Supervision upgrade</b>	Off-site non-oil-and-gas monitoring cycle updated to approximately monthly. Bank Indonesia Regulations PBI 7/2023 and PBI 3/2025 to be amended via several Board of Governors Regulations (PADGs).
<b>OJK</b>	<b>Legal Lending Limit (BMPK) relaxation</b>	DHE SDA-collateralised loans excluded from Legal Lending Limit (BMPK) calculations, subject to applicable conditions.
<b>Ministry of Finance</b>	<b>SBN Valas income tax government-borne treatment</b>	Domestic foreign-currency government bonds under Article 8(1)(d) will receive government-borne income tax treatment, to be specified in a separate Ministerial Finance Regulation.

**Timeline**

<b>Date</b>	<b>Event</b>
<b>20 May 2026</b>	Presidential speech at 19th House of Representatives (DPR) Plenary Session, GR 21/2026 formally announced alongside draft State-Owned Enterprise for Export (DSI) regulation
<b>21 May 2026</b>	Coordinating Ministry for Economic Affairs public socialization with BI, OJK, and business associations including USABC
<b>1 June 2026</b>	GR 21/2026 takes effect, full repatriation and retention obligations binding
<b>8 June 2026</b>	Follow-up socialization scheduled one week after 1 June implementation to review operational issues and initial compliance experience. Including for the implementation of Danantara Sumberdaya Indonesia.

*\*the summary is based on an unofficial version of the document that we have informally obtained through our sources, while we are still awaiting the official issuance from the Government.*