



# Client Alert

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## WIUP FOR COOPERATIVES

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## WIUP for Cooperatives

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The Minister of Cooperatives of the Republic of Indonesia has issued the Regulation of the Minister of Cooperatives No. 12 of 2025 regarding the Implementation of Mineral and Coal Mining Business Activities by Cooperatives (“RM 12/2025”), which came into effect on 31 December 2025.

RM 12/2025 serves as the implementing regulation of the provisions under Article 26C(a) of the Government Regulation of the Republic of Indonesia (“GR”) No. 96 of 2021 regarding the Implementation of Mineral and Coal Mining Business Activities (“GR 96/2021”), as amended several times, most recently by GR No. 39 of 2025 regarding the Second Amendments to GR 96/2021.

The regulation applies to cooperatives operating as business entities, including government-initiated village/sub-district cooperatives (*koperasi desa/kelurahan merah putih*) (collectively referred to as the “Cooperative”).

Under the Indonesian mining licensing framework, the Cooperative must first obtain a Mining Business License Area (*Wilayah Izin Usaha Pertambangan* – “WIUP”) as a prerequisite to applying for a Mining Business License (*Izin Usaha Pertambangan* – “IUP”) from the Ministry of Energy and Mineral Resources of the Republic of Indonesia (“MEMR”). WIUPs for metal minerals and coal may be granted through either an auction or a priority allocation mechanism.

This Client Alert focuses on the priority allocation mechanism under RM 12/2025. Key points are summarized below:

#### 1. Eligibility Criteria for Priority Allocation

- a. the Cooperative’s domicile and membership base are located within the same regency or municipality as the relevant metal mineral or coal WIUP;
- b. the Cooperative’s articles of association and Business Identification Number (*Nomor Induk Berusaha* – “NIB”) expressly include metal mineral or coal mining business activities; and
- c. the Cooperative has been duly established as a legal entity and is registered and verified in the database of the Ministry of Cooperatives of the Republic of Indonesia (“MOC”).

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## 2. Application Process and Administrative Verification

Application for designation of WIUP must be submitted to the MEMR through the Online Single Submission (“OSS”) system. However, before technical evaluation can be conducted, the Cooperative must first obtain administrative verification approval from the MOC.

### Administrative Verification

The Cooperative must submit an application for administrative verification through the OSS system. This process involves an assessment:

- a. the completeness of required documents; and
- b. the compliance with the membership requirements.

Further, the Cooperative must submit the following documents:

- a. administrative documents:
  - i. deed of establishment and articles of association (and its approval);
  - ii. NIB specifying metal mineral or coal mining business activities;
  - iii. domicile letter confirming location within the relevant regency/municipality;
  - iv. mining business activity plan;
  - v. WIUP map/layout; and
  - vi. statement letter of compliance with prevailing laws and regulations;
- b. membership documents:
  - i. list of the Cooperative members legalized by the management of the Cooperative, indicating members’ domicile in accordance with the regency/municipality of the WIUP location;
  - ii. identity and/or domicile of members as the basis of the linkage between the membership area and the WIUP location; and
  - iii. minutes of members’ meeting or resolution approving the submission of the WIUP application by the Cooperative.

The MOC will complete its administrative verification within 4 (four) working days after receiving a complete submission.

## 3. Issuance of Administrative Clearance

If the application is declared complete, the MOC will issue an Administrative Verification Clearance Letter (*Surat Lolos Verifikasi Administratif* – “SLVA”) through the OSS system within 10 (ten) working days.

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The SLVA enables the MEMR to proceed with its technical evaluation. If all requirements are satisfied, the MEMR will issue the WIUP designation under the priority allocation mechanism.

The maximum area that may be granted for a metal mineral WIUP or coal WIUP is up to 2,500 (two thousand five hundred) hectares.

After obtaining the WIUP, the Cooperative may proceed to apply for an IUP via the OSS system.

#### **4. Reporting Obligations**

In the event the Cooperative has conducted mining business activities, the management of the Cooperative is required to submit reports to the MOC, with copies to the MEMR as well as the relevant governor and regent/mayor in accordance with their respective jurisdictions. Such reports cover both institutional aspects and the implementation of mining business activities. With respect to institutional aspects, the report includes, among others, the results of members' meetings, accountability reports of the management and supervisory board, and the Cooperative's budget and revenue and expenditure plan for the following year. Meanwhile, with respect to mining operations aspects, the report covers asset development, business volume, human resources, and balance sheet reports and profit and loss calculations.

This Client Alert is intended to provide a brief overview only on the RM 12/2025, thus, cannot be deemed as legal advice. Please do not hesitate to contact us if you need a more detailed discussion, advice, and/or have specific questions.

For further information regarding the above Client Alert and future updates, please contact our counselors at:

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