

GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA

NUMBER 31 OF 2013

CONCERNING

IMPLEMENTING REGULATION OF ACT NUMBER 6 OF 2011

CONCERNING IMMIGRATION

IN THE MERCY OF GREAT UNITY OF GOD

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

Considering : whereas, to implement the provision of Article 23, 33, 47, 65, 90, 103, and Article 112, Act Number 6 of 2011 concerning Immigration, it is necessary to stipulate the Government Regulation concerning the Implementing Regulation of Act Number 6 of 2011 concerning Immigration.

In viewing of : 1. Article 5 Item (2) of the 1945 State Constitution of the Republic of Indonesia;

2. Act Number 6 of 2011 concerning Immigration (State Gazette of the Republic of Indonesia Year 2011 Number 52, Supplement to State

Gazette of the Republic of Indonesia Number
5216);

HAS DECIDED:

Enacting : GOVERNMENT REGULATION CONCERNING
IMPLEMENTING REGULATION OF ACT NUMBER 6 OF
2011 CONCERNING IMMIGRATION.

CHAPTER I

GENERAL PROVISIONS

Article 1

Terms used in this Government Regulation has the following meaning:

1. Immigration means a case of traffic of people who enter or exit the Indonesian Territory and the supervision in the interest of keeping enforcement on the State sovereignty.
2. Territory of the Republic of Indonesia that hereinafter referred to as Indonesian Territory means entire Indonesian Territory and specific zone stipulated under Act.
3. Foreigner means people who are not citizen of Indonesia.

4. Immigration Checkpoints means the place of check at seaport, airport, border crossing, or other place as a place of entry and exit of the Indonesian Territory.
5. Immigration Management Information System means a system of information and communication technology used to collect, process, and provide information to support operation, management, and decision-making in carrying out Immigration Function.
6. Conveyance means a ship, aircraft, or other means of transport commonly used, both for transporting people and goods.
7. Person in Charge of Conveyance means the owner, administrator, agent, ship's captain, pilot captain, or the driver of Conveyance concerned.
8. Entry Stamp means a certain sign of a stamp affixed on Travel Documents of Indonesian citizen and Foreigner, both manual and electronic, provided by the Immigration Officer as a sign that the person concerned enters into the Indonesian Territory.
9. Exit sign means a particular sign in the form of a stamp affixed on Travel Documents of Indonesian citizen and

Foreigner, both manual and electronic, provided by the Immigration Officer as a sign that the person concerned exits the Indonesian Territory.

10. Re-entry Permit means a written permit granted by the Immigration Officer to Foreigner who holds Limited Stay Permit and Permanent Stay Permit to re-enter into the Indonesian Territory.
11. Travel Document means an official document issued by the competent authorities of a country, the United Nations, or other international organizations to travel between countries that include the identity of the holder.
12. Travel document of the Republic of Indonesia means the passport of the Republic of Indonesia and Travel Document in Lieu the Passport of the Republic of Indonesia.
13. Immigration document means a travel document of the Republic of Indonesia and Stay Permit issued by the Immigration Officer or Officer of Foreign Service.
14. Nationality Passport means a document issued by a foreign country to its citizen in order to make an interstate travel that valid for a certain period.

15. Passport of the Republic of Indonesia, hereinafter referred to as the Passport means a document issued by the Government of the Republic of Indonesia to Indonesian citizen in order to make an interstate travel that valid for a certain period.
16. Travel Document As Passport of the Republic of Indonesia, hereinafter referred to as Travel Document As Passport means a document in lieu of passport given in a certain state that valid for a period of time.
17. Visa of the Republic of Indonesia, hereinafter referred to as Visa means a written statement given by the competent authority in Representative of the Republic of Indonesia or other places designated by the Government of the Republic of Indonesia, which contains approval for Foreigner to make a travel to Indonesian Territory and constitutes the basis for granting Stay Permit.
18. Stay Permit means a permit granted to the Foreigner by the Immigration Officers or Foreign Service Officer to stay within Indonesian Territory.
19. Permanent Stay Permit means a permit granted to a certain Foreigner to reside and settle in Indonesian Territory as an Indonesian People.

20. Guarantor means a person or a Corporation that is responsible for the presence and activities of the Foreigner while staying in Indonesian Territory.
21. Corporation means a group of people and/or organized properties, whether a legal entity or non-legal entity.
22. Immigration Intelligence means an activity of Immigration investigation and Immigration security in the interest of presentation process of information through an analysis to make an estimation of state encountered or will be encountered.
23. Administrative Action of Immigration means an administrative sanction stipulated by the Immigration Officer to the Foreigner outside the judicial process.
24. Immigration Detention Center means a technical implementing unit that runs the Immigration Function as a temporary shelter for the Foreigner who subject to Administrative Action of Immigration.
25. Immigration Detention Room means a temporary shelter for Foreigner who subject to Administrative Action of

Immigration that is in the Directorate General of Immigration and Immigration Office.

26. Detainee means the Foreigner who occupies the Immigration Detention Center or Immigration Detention Room where decree of detention has been issued by the Immigration Officer.
27. Prevention means a temporary restriction on people to exit the Indonesian Territory based on Immigration reason or any other reason prescribed by Act.
28. Deterrence means the prohibition against the Foreigner to enter the Indonesian Territory based on Immigration reason.
29. People Smuggling means the act of aiming for profit, either direct or indirect, for themselves or for others who bring a person or group of person, whether organized or not organized, or ordered others to bring a person or group of people, both organized or unorganized, who do not have the legal right to enter or exit the Indonesian Territory and/or enter the territory of another country that the person does not have the right to legally enter the territory, either by using legal document or false

documents, or without using the Travel Document, either through immigration check or not.

30. Deportation means the act to forcibly eject the Foreigner from the Indonesian Territory.
31. Minister means a minister who is organizing the government affairs in the field of justice and human rights.
32. Director General means a Director General of Immigration.
33. Immigration Officer means an employee who has been through the special education of Immigration and has a technical skill in Immigration as well as having the authority to carry out the duties and responsibilities pursuant to Act Number 6 of 2011 concerning Immigration.
34. Penyidik Pegawai Negeri Sipil Immigration (*Civil Servant Investigator of Immigration*) that hereinafter referred to as PPNS Keimigrasian means an Immigration Officer who is authorized by law to conduct criminal investigations of Immigration.
35. Landing Examining Officer means an immigration employee who is appointed by the Head of Immigration Office to check the people who enter or exit the Indonesian Territory.

36. Foreign Service Officer means a Civil Servant who has participated the special education and training to be assigned in the Ministry of Foreign Affairs and Representative of the Republic of Indonesia.

37. Representative of the Republic of Indonesia means the Indonesian Embassy, Consulate General of the Republic of Indonesia, and the Republic of Indonesian Consulate.

CHAPTER II

REQUIREMENTS AND OF ENTRY AND EXIT OF

THE INDONESIAN TERRITORY

Section One

General

Article 2

(1) Every person who enters or exits the Indonesian Territory shall be obliged to have a legal and still valid Travel Document.

(2) Every Foreigner who enters the Indonesian Territory is required to have a legal and still valid visa, unless provided otherwise by Act Number 6 of 2011 concerning Immigration and international treaty.

Section Two

Requirements of Entry and Exit of the Indonesian Territory

Paragraph 1

Requirements of Entry and Exit of the Indonesian Territory for Foreigner

Article 3

Every Foreigner who enters the Indonesian Territory shall comply with the following requirements:

- a. Shall have a legal and still valid Visa, unless those exempted the requirement to hold a visa;
- a. Shall have a legal and still valid Travel Document; and
- b. Shall not include in the list of Deterrence.

Article 4

For Foreigner who is exempted from the requirement to hold a visa, in addition to comply with the requirements as referred to in Article 3 letters b and c, must also have a return ticket or season ticket to another country.

Article 5

For Foreigner who holds the limited Stay Permit or Permanent Stay Permit, in addition to comply with the requirements as

contemplated in Article 3 letters b and c, also must have a legal and still valid Re-Entry Permit to the Indonesian Territory.

Article 6

Every Foreigner who exits the Indonesian Territory shall comply with the following requirements:

- a. Shall have a legal and still valid Travel Document;
- b. Not including in the List of Deterrence;
- c. Has had a sign to embark the Conveyance, unless for Foreigner as traditional border crosser; and
- d. Shall have an exit permit for Foreigner subject to administrative action of Immigration.

Paragraph 2

Requirements of Entry and Exit of
the Indonesian Territory for Indonesian Citizen

Article 7

Every Indonesian citizen who enters the Indonesia's Territory shall have a legal and still valid Travel Document of the Republic of Indonesia.

Article 8

Every Indonesian citizen who exits the Indonesian Territory shall comply with the following requirements:

- a. Shall have a legal and still valid Travel Document of the Republic of Indonesia;
- b. Not including in the List of Prevention; and
- c. Shall be included in the list of Conveyance crew or passenger, unless for personal vehicle and cargo vehicle.

Paragraph 3

Requirements of Entry and Exit of the Indonesian Territory
for Children with Dual Nationality

Article 9

Children with dual nationality who enter or exit the Indonesian Territory shall comply with the following requirements:

- a. Shall have a legal and still valid Travel Document;
- b. Not including in the list of Prevention or list of deterrence; and
- c. Shall have the Immigration facilities in case of using Nationality Passport.

Article 10

(1) Children with dual nationality who enter or exit the Indonesian Territory shall use the same passport.

(2) Children with dual nationality who enter or exit the Indonesian Territory using the Nationality Passport shall be served as an Indonesian citizen in case of having the Immigration facilities.

Article 11

(1) Children with dual nationality who enter or exit the Indonesian Territory using the Nationality Passport shall be exempted from the requirements of having Visa, Stay Permit, and Re-Entry Permit.

(2) Exemption from the requirements of having Visa, Stay Permit, and Re-Entry Permit as contemplated in clause (1) shall be given for children with dual nationality who have the Immigration facilities in accordance with the provision of laws and regulations.

Paragraph 4

Requirements of Entry and Exit of the Indonesian Territory
for Conveyance Crew

Article 12

Crew for sea Conveyance who enters or exits the Indonesian Territory with his Conveyance shall comply with the following requirements:

- a. Shall have Travel Document and/or a legal and still valid sailor book;
- b. Shall be registered in the list of ship crew; and
- c. Not including in the list of Deterrence or list of Prevention.

Article 13

Crew for air Conveyance who enters or exits the Indonesian Territory with his Conveyance shall comply with the following requirements:

- a. Shall have Travel Document and/or a legal and still valid *crew member certificate*;
- b. Shall be registered in the list of Conveyance crew; and
- c. Not including in the list of Deterrence or list of Prevention.

Article 14

Crew for other Conveyance who enters or exits the Indonesian Territory with his Conveyance shall comply with the following requirements:

- a. Shall have a legal and still valid Travel Document;
- b. Shall be registered in the list of Conveyance crew, unless for personal vehicle and cargo vehicle; and
- c. Not including in the list of Deterrence or list of Prevention.

Paragraph 5

Requirements of Entry and Exit of the Indonesian Territory
for Ship's Captain, Crew, or Foreign Expert

Article 15

(1) Ship's captain, crew, or foreign experts on board of a ship or a floating device, who arrive directly with their Conveyance to operate in the Archipelago waters, territorial sea, continental shelf, and/or the Indonesian Exclusive Economic Zone must comply with the following requirements:

- a. Shall have Travel Document and/or a legal and still valid sailor book;
- b. Shall be registered in the list of ship crew; and
- c. Not including in the list of Deterrence.

(2) Ship's captain, crew, or foreign experts on board of a ship or a floating device, who arrive directly with their

Conveyance and have complied with the requirements as contemplated in clause (1) may enter the Indonesian Territory after receiving an Entry Stamp from the Immigration Officer in the Immigration Checkpoints.

Article 16

- (1) Ship's captain, crew, or foreign experts on board of a ship or a floating device, or an installation that operate in the Archipelago waters, territorial sea, continental shelf, and/or the Indonesian Exclusive Economic Zone, which exit the Indonesian Territory must comply with the following requirements:
 - (a) Shall have Travel Document and/or a legal and still valid sailor book;
 - (b) Shall be registered in the list of ship crew;
 - (c) Not including in the list of Prevention; and
 - (d) Shall have the limited Stay Permit that is legal and still valid.

- (2) In addition to comply with the requirements as contemplated in clause (1), for ship's captain, crew, or foreign experts on board of a ship or a floating device, or an installation that exit the Indonesian Territory without their Conveyance must also comply with the following requirements:

- a. shall have Re-Entry Permit if they will rejoin with their Conveyance; or
 - b. shall have an *exit permit only* if they will not rejoin with their Conveyance.
- (3) Ship's captain, crew, or foreign experts on board of a ship or a floating device, or an installation that will leave the Indonesian Territory and have complied with the requirements as contemplated in clause (1)) and clause (2) after receiving an Entry Stamp from the Immigration Officer.

Section Three

Procedures to Enter and Exit the Indonesian Territory

Paragraph 1

Person in Charge of the Conveyance

Article 17

- (1) Person in Charge of the Conveyance who arrives from outside the Indonesian Territory or leave the Indonesian Territory shall be obligated to:
- a. prior to arrival or departure shall notify his arrival schedule in writing or electronic to the Immigration Officer.

- b. shall submit the passenger list and list of Conveyance crew signed by the Immigration Officer;
- c. shall provide a sign or hoist the signal flag for ships that arrive from outside the Indonesian Territory carrying the passenger;
- d. shall prohibit any person embarks or disembark from the Conveyance without permission of the Immigration Officer before and during the Immigration check is undertaken;
- e. shall prohibit any person embarks or disembark from the Conveyance that Immigration arrangement has been completed while waiting for departure;
- f. shall bring back out of the Indonesian Territory on the earliest opportunity any Foreigner who complies with no requirements that arrives with Conveyance;
- g. shall ensure that the Foreigner who is alleged or suspected will illegally enter the Indonesian Territory for not disembark from Conveyance; and
- h. shall bear all costs arising out as a result of returning each passenger and/or crew of the Conveyance.

(2) Person in Charge of the regular Conveyance is required to use the preliminary processing information system of passenger data and shall collaborate in the interest of

data notification through Management Information Systems of Immigration.

Article 18

(1) Obligation of notifying the arrival plan of sea Conveyance or air Conveyance for Person in Charge as contemplated in Article 17 clause (1) letter a, shall be as follows:

- a. no later than six (6) hours prior to regular the Conveyance arrives; and
- b. no later than forty eight (48) hours prior to non-regular the Conveyance arrives.

(2) Obligation as contemplated in clause (1) shall be given notice to the Head Immigration Office who oversees the Immigration Checkpoints.

Article 19

Provisions as contemplated in Article 17 shall not apply for Person in Charge of other Conveyance except clause (1) letter b and letter d until letter h.

Paragraph 2

Checkpoints

- (1) Every person who enters or exit the Indonesian Territory shall be obliged to pass through the Checkpoints conducted by the Immigration Officer in the Immigration Checkpoints.
- (2) Check as contemplated in clause (1) shall include Travel Document check and/or legal identity.
- (3) In certain circumstance a check as referred to in clause (1) can be done in a place that is not the Immigration Checkpoints serving as the Immigration Checkpoints under consent of the Director General.
- (4) In the event that there is no Immigration Officer at the place as referred to in clause (1) and clause (3), such check shall be conducted by the Landing Examining Officer.
- (5) Landing Examining Officer as contemplated in clause (4) shall carry out his tasks and functions according to authority owned by the Immigration Officer to the extent that pertaining a check of person who enters or exits the Indonesian Territory.
- (6) A check to person who enters or exits the Indonesian Territory by the Landing Examining Officer as contemplated

in clause (4) shall be made pursuant to Decision of Head Immigration Office.

Article 21

Immigration check to Foreigner who holds the travel document for cross-border or cross-border pass shall be undertaken pursuant to cross-border agreement.

Article 22

Further provision concerning procedures of Immigration check to person who enters or exits the Indonesian Territory shall be governed by the Ministerial Regulation.

Paragraph 3

Provision of Entry and Exit Signs

Article 23

Every person who has complied with the requirements as contemplated in Article 3, 7, or Article 9 may enter the Indonesia's Territory after receiving an Entry Stamp from the Immigration Officer.

Article 24

Every person who has complied with the requirements as contemplated in Article 6, 8, or Article 9 may exit the Indonesia's Territory after receiving an Entry Stamp from the Immigration Officer.

Paragraph 4

Rejection to Enter and Exit the Indonesian Territory

Article 25

- (1) The Immigration Officer shall reject the Foreigner who enters the Indonesian Territory in case of such Foreigner:
 - a. his/her name contained in the list of Deterrence;
 - b. having a legal and valid Travel Document;
 - c. having false immigration documents;
 - d. having no Visa, except those exempted from the requirement to hold a visa;
 - e. having provided false information in obtaining a Visa;
 - f. suffering from infectious disease that endangers public health;
 - g. international crimes and transnational organized crime;
 - h. including in the person search list to be captured from a foreign country;

- i. involved in the rebellion act against the Government of the Republic of Indonesia; or
 - j. including in the network of practices or activities of prostitution, trafficking in person, and People Smuggling.
- (2) The Foreigner who is rejected to enter as contemplated in clause (1) shall be placed under temporary surveillance while waiting for the repatriation process of the person concerned.

Article 26

- (1) In the event that the Immigration Officer rejects the Foreigner as contemplated in Article 25 clause (1), such Person in Charge of the Conveyance shall be obliged to bring back out of the Indonesian Territory on the earliest opportunity such Foreigner to the country of final departure point.
- (2) Rejection as contemplated in clause (1) shall be conducted by affixing a stamp on Travel Document concerned or submit a letter of rejection to the Person in Charge of the Conveyance.

Article 27

- (1) Every Indonesian citizen may not be rejected to enter the Indonesian Territory.
- (2) In the event of doubt found on Travel Document of an Indonesian citizen and/or his/her citizenship status, the person concerned must give another legal and convincing proof showing that the person concerned is a citizen of Indonesia.
- (3) In order to complement the proof as referred to in clause (2), the person concerned may be placed in the Immigration Detention Center or Immigration Detention Room.
- (4) Proof of citizenship of the Republic of Indonesia as contemplated in clause (2) shall pass through a check conducted by the Immigration Officer.

Article 28

- (1) The Immigration Officer shall have authority to exit the Indonesia's Territory in the event that the person:
 - a. has no a legal and valid Travel Document;
 - b. is required for investigation reason upon the request of the competent authority; or
 - c. his/her name is contained in the list of Prevention,

(2) The Immigration Officer shall have authority to reject the Foreigner to exit the Indonesian Territory in case of the Foreigner still has an obligation in Indonesia that must be complied with pursuant to the provision of laws and regulations.

Article 29

(1) The Immigration Officer may request and temporarily store the Travel Documents of a person as referred to in Article 28.

(2) In case of Travel Documents as referred to in clause (1) is requested and stored temporarily, the Immigration Official shall provide a letter of Travel Document receipt.

Section Four

Entry Stamp as Stay Permit

Article 30

(1) An Entry Stamp for the Foreigner who holds the Diplomatic Visa or Service Visa who make a short visit in Indonesia shall also apply as Diplomatic Stay Permit or Service Stay Permit.

(2) Entry Stamp for Foreigner who holds the diplomatic Visa or service Visa with the intention of residing in the Indonesian Territory shall also apply as the diplomatic Stay Permit or service Stay Permit for a temporary period of 30 (thirty) days.

Article 31

An Entry Stamp that applies as visit Stay Permit shall be provided to:

- a. the Foreigner who is exempted from obligation to have a Visa;
- b. the Foreigner who holds a visit Visa;
- c. the Foreigner who enters the Indonesia's Territory in an emergency state; or
- d. the crew of Conveyance.

Article 32

An Entry Stamp for the Foreigner who holds the limited stay Visa shall apply as the limited Stay Permit for a temporary period of 30 (thirty) days.

CHAPTER III

REQUIREMENTS AND PROCEDURES OF PROVISION, RETRACTION,

CANCELLATION, REVOCATION, REPLACEMENT,
AND PROCUREMENT OF FORMS, AND STANDARDIZATION OF
TRAVEL DOCUMENT OF THE REPUBLIC OF INDONESIA

Section One

General

Article 33

Provision, Retraction, cancellation, revocation, and replacement of Travel Document of the Republic of Indonesia shall be made by:

- a. The Minister of Foreign Affairs or a designated officer for diplomatic Passport and service Passport; or
- b. The Minister or a designated Immigration Officer for Ordinary passport and Travel Document as Passport.

Article 34

(1) Travel Document of the Republic of Indonesia shall consist of:

- a. Passport; and
- b. Travel Document as Passport.

(2) Passport as contemplated in clause (1) letter a, shall consist of:

- a. Diplomatic passport;
 - b. Service passport; and
 - c. Ordinary passport.
- (3) Travel Document As Passport as contemplated in clause (1) letter b, shall consist of:
- a. Travel Document As Passport for Indonesian citizen;
 - b. Travel Document As Passport for Foreigner; and
 - c. Travel Document of cross-border or cross-border pass.

Article 35

Travel Document of the Republic of Indonesia shall serve as an interstate Travel Document, proof of identity and proof of citizenship of the Republic of Indonesia of the passport holder concerned at the time outside the Indonesian Territory.

Article 36

The passport as contemplated in Article 34 clause (2) may be proposed manually or electronically.

Section Two

Requirements and Procedures of Providing
Travel Document of the Republic of Indonesia

Paragraph 1

Diplomatic Passport

Article 37

- (1) The diplomatic passport shall be provided to the Indonesian citizen who will travel outside the Indonesia's Territory in the interest of assignment or traveling for diplomatic services.

- (2) The Indonesian citizen as contemplated in clause (1) includes:
 - a. President and Vice President;
 - b. Chairman and vice chairman of the state agency as contemplated in the 1945 Constitution of the Republic of Indonesia;
 - c. Minister, officers equivalent to minister and deputy ministers;
 - d. Chairman and Vice-Chairman of the institution established under the Act;
 - e. Head of diplomatic representative, head of consular representative of the Republic of Indonesia, diplomatic officer and consular;
 - f. Defense attachés and technical attaché established by the Decree of the Minister of Foreign Affairs and assigned to the Republic of Indonesia Representative;

- g. Foreign Ministry officials who engage diplomatic official duties outside the Indonesian Territory; and
- h. Delegate or formal officer assigned and appointed to represent the Government of the Republic of Indonesia or any other task given to carry out the diplomatic official duties of the Minister of Foreign Affairs outside the Indonesian Territory.

(3) Besides given to the Indonesian citizen as contemplated in clause (2), the diplomatic Passport may also given to:

- a. Wife or husband of President and Vice President as well as their children;
- b. Wife or husband of the Indonesian citizen as contemplated in clause (2) letter b and letter c, who accompanies her husband or his wife in the interest of the diplomatic tasks traveling;
- c. Wife or husband of the officers assigned outside the Indonesian Territory as contemplated in clause (2) letter e and letter f, along with their children with the maximum age of twenty five (25) years, not married, not working, and still under dependent who live together in area of accreditation; or
- d. Diplomatic couriers.

The diplomatic Passport can be given as a trmotherte to former President and former Vice President and his wife or husband.

Article 39

- (1) The use of a diplomatic Passport in the interest of diplomatic traveling tasks shall be given with the consent of the Government, issued by the ministry holding government affairs in the State secretariat.
- (2) The Government consent as contemplated in clause (1) shall be as well as the basis for issuance of overseas travel permit.
- (3) Further provision concerning overseas travel permit using the diplomatic Passport shall be governed by Regulation of the Minister of Foreign Affairs

Article 40

Application for diplomatic Passport shall be filed to the Minister of Foreign Affairs or a designated officer by filling out data application and attach the following requirements:

- a. A written request from the institution or government agency as services entity and/or the proposing institution or government agency;
- b. Letter of assignment command for member of the Indonesian National Armed Forces, Indonesian National Police members, and a specific Civil Servant or a letter of approval from the Government to engage the diplomatic tasks traveling out of the Indonesian Territory from the ministry holding the government affairs in the State secretariat;
- c. A photocopy of marriage certificate legalized by the competent authority, for a wife or husband who accompanies the traveling in the interest of diplomatic tasks traveling; and
- d. A photocopy of birth certificate or a letter proving birth legalized by the competent authority, for children with the maximum age of 25 (twenty five) years, not married, not working, and still under dependent who live together in area of accreditation.

Article 41

- (1) The Minister of Foreign Affairs or a designated officer shall verify the requirements of the diplomatic Passport as contemplated in Article 40.

(2) In the event that verification of the requirements as contemplated in clause (1) has been complied with, the Minister of Foreign Affairs or a designated officer shall issue the diplomatic Passport within no later than 4 (four) work days.

Article 42

Valid period of the diplomatic Passport shall be of a maximum of 5 (five) years from the date of issuance.

Paragraph 2

Service Passport

Article 43

- (1) Service Passport is rendered to Indonesian citizen who will travel out of the Indonesian Territory in relation to assignment or non-diplomatic official travel;
- (2) Indonesian citizen as contemplated in clause (1) shall consist of:
- a. Civil servants, members of the Indonesian Armed Forces, and members of the Indonesian National Police;
 - b. Members of State institutions as stipulated in the 1945 Constitution of the Republic of Indonesia;

- c. State officials established under the provisions of the legislation; and
- d. Member of institutions set up under the provisions of the legislation.

(3) In addition to the Indonesian citizen as contemplated in clause (2), such service Passport may be rendered to:

- a. wife or husband of the Indonesian citizen as contemplated in clause (2) letter a, assigned outside the Indonesian Territory, along with their children with the maximum age of twenty five (25) years, not married, not working, and still under dependent who live together in the area of accreditation;
- b. staff working with the representative of the Republic of Indonesia or the Representative house of the Republic of Indonesia and the wife or husband, by assignment contract with the Ministry of Foreign Affairs;
- c. Indonesian citizen who will travel out of the Indonesian Territory in the interest of the government's official duties;
- d. Indonesian citizen by the Government of the Republic of Indonesia consideration needs to be rendered; and

- e. Parents of the Indonesian citizen as contemplated in clause (2) a, and as contemplated in Article 37 clause (2) e, in case of staying in the area of accreditation.

Article 44

- (1) The use of service Passport for non-diplomatic official shall be rendered by assignment command from the relevant authorities or the Government approval issued by the ministry holding the government affairs in the State secretariat.
- (2) The command of assignment from the relevant authorities or the Government approval as contemplated in clause (1) shall be as well as the basis for issuance of overseas travel permit.
- (3) Further provision concerning overseas travel permit using the service Passport shall be governed by Regulation of the Minister of Foreign Affairs.

Article 45

Application for service Passport shall be filed to the Minister of Foreign Affairs or a designated officer by filling out data application and attach the following requirements:

- a. A written request from the institution or government agency as services entity and/or the proposing institution or government agency;
- b. Letter of assignment command for member of the Indonesian National Armed Forces, Indonesian National Police members, and a specific Civil Servant or a letter of approval from the Government to engage the non-diplomatic tasks traveling out of the Indonesian Territory from the ministry holding the government affairs in the State secretariat;
- c. A photocopy of marriage certificate legalized by the competent authority, for a wife or husband who accompanies the traveling in the interest of non-diplomatic tasks traveling; and
- d. A photocopy of birth certificate or a letter proving birth legalized by the competent authority, for children with the maximum age of 25 (twenty five) years, not married, not working, and still under dependent who live together in area of accreditation.

Article 46

- (1) The Minister of Foreign Affairs or a designated officer shall verify the requirements of the service Passport as contemplated in Article 45.

(2) In the event that verification of the requirements as contemplated in clause (1) has been complied with, the Minister of Foreign Affairs or a designated officer shall issue such service Passport within no later than 4 (four) work days.

Article 47

Valid period of such service Passport shall be of a maximum of 5 (five) years from the date of issuance.

Paragraph 3

Ordinary Passport

Article 48

(1) Ordinary Passport consists of:

- a. Electronic ordinary Passport; and
- b. Non-electronic ordinary Passport.

(2) The Passport as contemplated in clause (1) shall be issued using the Management Information System of Immigration.

Article 49

For the Indonesian citizen who domiciles or residing in the Indonesian Territory, regular passport application submitted

to the Minister or Immigration Officer appointed by filling out an application and shall attach the data requirements:

- a. Resident identification card that is still valid;
- b. Family card;
- c. Birth certificate, marriage certificate or marriage book, diploma, or baptismal certificate;
- d. Indonesian naturalization letter for Foreigner who obtains Indonesian citizenship through naturalization or submission of statement to choose citizenship in accordance with the provisions of laws and regulations;
- e. Letter of rename determination from the competent authority for those have renamed; and
- f. Old passport for those who already have a Passport.

Article 50

(1) For the Indonesian citizen who domiciles outside the Indonesian Territory, regular passport application submitted to the Minister or Immigration Officer appointed by filling out an application and shall attach the data requirements:

- a. Local State resident card, evidence, indication, or information indicating that the applicant is residing in that country, and

b. Old passport.

- (2) Issuance of ordinary Passport as contemplated in clause (1) shall be made by the Immigration Officer designated at the Representative of the Republic of Indonesia.
- (3) In the event that the Representative of the Republic of Indonesia has no Immigration Officers as contemplated in clause (2), the issuance of ordinary Passports shall be carried out by a Foreign Service Officer who has gained knowledge through training in the field of Immigration.

Article 51

- (1) The maximum valid period of the ordinary Passport is five (5) years as of date of issuance.
- (2) Valid period of the ordinary Passport issued for a child with dual nationality shall not exceed age limit of the child to declare choosing his/her nationality.
- (3) Age limit of the child as contemplated in clause (2) shall be stipulated in accordance with the provision of laws and regulations.

Article 52

(1) Issuance of the ordinary Passport shall be made through the following steps:

- a. verification of the requirements completion and validity as contemplated in Article 49 and Article 50 clause (1);
- b. Payment of Passport fee;
- c. Interview.

(2) In addition to steps as contemplated in clause (1), it will also be conducted:

- a. Verification; and
- b. Adjudication.

Article 53

(1) The Minister or a designated Immigration Officer shall issue the ordinary Passport within no later than four (4) working days as of date of interview completed.

(2) Deadline for the Ordinary Passport issuance as contemplated in clause (1) shall also apply to the Ordinary Passport issued by Foreign Service Officer.

Paragraph 4

Travel Document as Passport for Indonesian Citizen

Article 54

- (1) Travel Document as Passport for Indonesian citizen shall be rendered to the Indonesian citizen in a specific condition, in case of the ordinary Passport failed to be granted.
- (2) Travel Document as Passport for Indonesian citizen as contemplated in clause (1), shall be valid for entry travel into the Indonesian Territory.

Article 55

- (1) Application for Travel Document as Passport for Indonesian citizen shall be submitted to the Minister or a designated Immigration Officer at the Republic of Indonesia Representative.
- (2) Issuance of Travel Document as Passport for Indonesian citizen as contemplated in clause (1) shall be conducted by the Immigration Officer.
- (3) In the event that at the Representative of the Republic of Indonesia has no Immigration Officers as contemplated in clause (2), the issuance of Travel Document as Passport for Indonesian citizen shall be performed by Foreign Service

Officer who has gained knowledge through training in Immigration.

Article 56

Travel Document as Passport for Indonesian citizen shall be valid at the maximum period of 2 (two) years and can only be used for once travel.

Paragraph 5

Travel Document as Passport for Foreign

Article 57

Application for Travel Document as Passport for Foreign shall be filed to the Minister or a designated Immigration Officer at the immigration office whose jurisdiction covers the residence of the Foreigner concerned.

Article 58

(1) Travel Document as Passport for Foreign shall be rendered for Foreigner who has not have:

- a. A legal and still valid Travel Document; and
- b. His/her country representative in the Indonesia's Territory.

(2) Travel Document as Passport for Foreign as contemplated in clause (1) shall be granted in case of:

- a. on his/her own intent to exit from the Indonesia's Territory to the extent that not exposed to Prevention;
- b. subject to Deportation; and
- c. repatriation.

Article 59

Travel Document as Passport for Foreign shall be valid at the maximum period of 6 (six) months and can only be used for once travel.

Paragraph 6

Cross-Border Travel Document or Cross-Border Pass

Article 60

Cross-border Travel Document or cross-border pass can be provided for Indonesian citizen residing in the border area of the Republic of Indonesia with other countries in accordance with the cross-border agreement.

Article 61

Application for cross-border travel document or cross-border pass shall be submitted to the Minister or a designated Immigration Officer.

Article 62

- (1) This cross-border travel document or cross-border pass shall be valid at the maximum period of 3 (three) years as of date of issuance;
- (2) This cross-border travel document or cross-border pass shall as contemplated in clause (1) cannot be renewed;
- (3) Holder cross-border travel document or cross-border pass that effective period has expired can apply for new cross-border travel documents or new cross-border pass.

Section Three

Retraction, Cancellation, Revocation, and Replacement of
Travel Document of the Republic of Indonesia

Article 63

- (1) Retraction of Travel Document of the Republic of Indonesia may be made to the holder at the time either inside or outside the Indonesian Territory.

(2) Retraction of Travel Document of the Republic of Indonesia as contemplated in clause (1) shall be conducted in terms of:

a. The holder has been declared a suspect by the authority having jurisdiction over criminal acts punishable by a minimum of 5 (five) years or a *red notice* that has been out of the Indonesian Territory; or

b. Inclusive in the list of Prevention.

(3) In case of retraction of Travel Document of the Republic of Indonesia done when the holder is outside of the Indonesian Territory in the form of Passport, to the person concerned shall be given the Travel Document as Passport that will be used to process the repatriation.

Article 64

Cancellation of Travel Document of the Republic of Indonesia may be done in case of:

a. The said Travel Document of the Republic of Indonesia is illegally obtained;

b. The holder provides any false or incorrect information;

c. The holder dies during the process of Passport issuance;

- d. Not taken within a period of 1 (one) month from the date of issuance; or
- e. Error and broken during the issuance process.

Article 65

(1) Revocation of Travel Document of the Republic of Indonesia may be done in case of:

- a. The holder is sentenced to imprisonment for 5 (five) years;
- b. The holder has lost citizenship of the Republic of Indonesia under the provision of laws and regulations;
- c. Children with dual nationality who choose foreign citizenship;
- d. expiry date;
- e. The holder dies;
- f. damaged in such a way that the information in it could be unclear or give the impression that it can no longer as an official document;
- g. reported lost by its owner as evidenced by a certificate of the police report; or
- h. The Travel Document holder does not submit Travel Document of the Republic of Indonesia in effort of retracting Travel Documents of the Republic of Indonesia.

(2) In case of revocation of Passport done when the holder is outside the Indonesian Territory, then the person concerned shall be given Travel Document as Passport a passport as substitute document that will be used for the repatriation process.

Article 66

(1) Replacement of Travel Document of the Republic of Indonesia shall be made in case of:

- a. the valid period will expire or has been expired;
- b. full page;
- c. lost; or
- d. damaged when:

1. issuance process; or

2. outside the issuance process, so the information in it cannot be unclear or provide inappropriate impression for no longer as an official document.

(2) Replacement of Travel Document of the Republic of Indonesia where its valid period expires, full page, or damaged at the time outside the issuance process as contemplated in clause (1) shall be followed-up by revocation.

(3) Replacement of Travel Document of the Republic of Indonesia that is damaged when the process of issuance shall be followed-up by revocation.

Article 67

In the event that Travel Documents of the Republic of Indonesia such as ordinary Passport expires for its valid period and the holder is outside the Indonesian Territory, the replacement of such ordinary Passport can be done in the Representative of the Republic of Indonesia.

Article 68

In the case of Travel Document of the Republic of Indonesia is lost, a replacement of the document can be made after complying with the requirements as set forth in the legislation.

Article 69

Further provision concerning application technical procedures, provision, retraction, cancellation, revocation, and replacement of the diplomatic and service Passport shall be governed by Regulation of Foreign Affairs Minister.

Article 70

Further provision concerning application technical procedures, provision, retraction, cancellation, revocation, and replacement of the ordinary Passport and Travel Document as Passport shall be governed by Regulation of the Minister.

Section Four

Procurement of the Form and Standardization of
Travel Documents of the Republic of Indonesia

Article 71

- (1) The Minister of Foreign Affairs shall be responsible for the procurement of the form for diplomatic Passport and service Passport;
- (2) The Minister of a designated Immigration Officer shall be responsible for the procurement of the form for ordinary Passport and Travel Document as Passport.
- (3) Procurement of the form as contemplated in clause (1) and clause (2) shall be performed pursuant to the provision of laws and regulations.

Article 72

- (1) The Minister of Foreign Affairs shall define the standardization of diplomatic and service Passports.
- (2) The Minister or a designated Immigration Officer shall define the standardization of ordinary Passport and Travel Document as Passport.
- (3) Standardization as contemplated in clause (1) and clause (2) shall be performed pursuant to international standard.

Article 73

- (1) Standardization of Travel Document of the Republic of Indonesia shall consist of:
 - a. standardization of diplomatic Passport;
 - b. standardization of service Passport;
 - c. standardization of ordinary Passport; and
 - d. standardization of Travel Document as Passport.
- (2) Standardization as contemplated in clause (1), shall include:
 - a. standard for type;
 - b. standard for size;
 - c. standard for design;

- d. standard for security feature; and
- e. standard for content.

CHAPTER IV

REQUIREMENTS AND PROCEDURES OF APPLICATION,
TYPE OF ACTIVITIES, AND PERIOD OF VISA USE

Section One

General

Article 74

Visa shall consist of:

- a. Diplomatic Visa;
- b. Service Visa;
- c. Visit Visa; and
- d. Limited stay Visa.

Article 75

(1) Diplomatic Visa, service Visa, visit Visa, and limited stay Visa shall be granted under application.

(2) Application of Visa may be filed manually or electronically;

- (3) Application of Visa electronically is done through Management Information System of Immigration.

Section Two

Requirements and Procedures of Application and Type of Visa

Activities

Paragraph 1

Diplomatic Visa

Article 76

- (1) Diplomatic Visa shall be rendered to Foreigner holding the diplomatic Passport and another passport to enter the Indonesia's Territory in order to carry out the diplomatic duties.
- (2) Provision of diplomatic Visa to Foreigner holding another passport as contemplated in clause (1) can only be provided under international treaty, the principle of reciprocity, and trmotherte.
- (3) Diplomatic Visa can be granted to the husband or wife and their legitimate children with the maximum age of 25 (twenty five) years, not married, not working, and being dependent and follow the Foreigner holding the diplomatic passport or another passport in implementing diplomatic duties.

Article 77

(1) Diplomatic Visa may be rendered for:

- a. once journey; or
- b. several times journey.

(2) Diplomatic Visa as contemplated in clause (1) shall be granted to Foreigner holding diplomatic passport or another passport in order to make short visit or assignment at the diplomatic representative, foreign country consular or international organization in the Indonesia's Territory in order to carry out the diplomatic duties.

Article 78

(1) Application for diplomatic Visa shall be submitted to the Chief Representative of the Republic of Indonesia to fill out data application and attach the following requirements:

- a. a legal passport and still valid at least 6 (six) months;
- b. diplomatic note containing the Visa application and a description of the assignment in question;
- c. color photograph; and

- d. other supporting documents if necessary
- (2) In addition to comply with the requirements as contemplated in clause (1), issuance of diplomatic Visa shall require approval from the Minister of Foreign Affairs for:
- a. Another passport holder as contemplated in Article 76 clause (1);
 - b. Foreigner who files the diplomatic Visa application for several times travel; or
 - c. Foreigner who will be assigned on diplomatic representative, consular, international organization, or who will be on duty in the Indonesian Territory in the framework of technical cooperation between the Government of the Republic of Indonesia and the Government of another country and/or international organizations under international agreement.

Article 79

- (1) Chief Representative of the Republic of Indonesia or a designated Foreign Service Officer shall verify the requirements as contemplated in Article 78.
- (2) In case of verification to requirements as contemplated in clause (1) has been complied with, the Chief Representative

of the Republic of Indonesia or a designated Foreign Service Officer shall issue the diplomatic Visa considering the the principle of reciprocity.

Article 80

- (1) Foreigner of certain country with reciprocal bilateral, regional, and multilateral agreements can be exempted from the requirement to hold a diplomatic Visa to make a brief visit to the Indonesian Territory.
- (2) Foreigner who will assigned at diplomatic representative, consular, international organizations, or who will be on duty in the Indonesian Territory within the framework of technical cooperation between the Government of the Republic of Indonesia and the Government of another country and/or international organizations under international treaties, including family members accompanying them complying with the provision as contemplated in Article 76 clause (3), must have a diplomatic Visa before entering the Indonesian Territory.

Article 81

To be exempted from the requirement to hold a diplomatic Visa in order to make a brief visit as contemplated in Article 80 clause (1), Foreigner must show a legal diplomatic passport

and still valid at least 6 (six) months to the Immigration Officer at Immigration Checkpoints.

Paragraph 2

Service Visa

Article 82

- (1) Service Visa shall be granted to Foreigner holding service passport and another passport, which will be traveling to the Indonesia's territory in order to carry out non-diplomatic official duties from foreign government or international organization concerned.
- (2) Provision of Service Visa for Foreigner holding another passport as contemplated in clause (1) may only be granted under international agreements, the principle of reciprocity, and trmotherte.
- (3) Service Visa can be granted to the husband or wife and their legitimate children with the maximum age of 25 (twenty five) years, not married, not working, and being dependent and follow the Foreigner holding the service passport or another passport in implementing non-diplomatic official duties.

Article 83

(1) Service Visa can be rendered for:

- a. once travel; or
- b. several times travel.

(2) Service Visa as contemplated in clause (1) shall be granted to Foreigner holding service passport and another passport for a brief visit or assigned to a diplomatic representative, foreign country consular, or international organization in the Indonesia's territory in order to carry out non-diplomatic official duties.

Article 84

(1) Application for diplomatic Visa shall be submitted to the Chief Representative of the Republic of Indonesia or Foreign Service Officer by filling out data application and attach the following requirements:

- a. a legal passport and still valid at least 6 (six) months;
- b. diplomatic note containing the Visa application and a description of the assignment in question;
- c. Government approval letter from the ministry holding government affairs in the State secretariat for

Foreigner assignment in the framework of service or technical cooperation with international organizations in Indonesia, foreign institutions in Indonesia, or the Indonesian Government agencies;

- d. color photograph; and
- e. other supporting documents if necessary

(2) In addition to comply with the requirements as contemplated in clause (1), issuance of service Visa shall require any consent from the Minister of Foreign Affairs for:

- a. Another passport holder as contemplated in Article 82 clause (1);
- b. Foreigner who files an application for service Visa for several times travel; or
- c. Foreigner who will be assigned at diplomatic representative, consular, international organizations, or to serve in Indonesia in the framework of technical cooperation between the Government of the Republic of Indonesia with other governments and/or international organizations under an international treaty.

(1) Chief Representative of the Republic of Indonesia or a designated Foreign Service Officer shall verify the requirements as contemplated in Article 84.

(2) In case of verification to requirements as contemplated in clause (1) has been complied with, the Chief Representative of the Republic of Indonesia or a designated Foreign Service Officer shall issue the service Visa considering the principle of reciprocity.

Article 86

(1) Foreigner of certain country with reciprocal bilateral, regional, and multilateral agreements can be exempted from the requirement to hold a service Visa to make a brief visit to the Indonesian Territory.

(2) Foreigner who will assigned at diplomatic representative, consular, international organizations, or who will be on duty in the Indonesian Territory within the framework of technical cooperation between the Government of the Republic of Indonesia and the Government of another country and/or international organizations under international treaties, including family members accompanying them complying with the provision as contemplated in Article 82

clause (3), must have a service Visa before entering the Indonesian Territory.

Article 87

To be exempted from the requirement to hold a service Visa in order to make a brief visit as contemplated in Article 86 clause (1), Foreigner must show a legal diplomatic passport and still valid at least 6 (six) months to the Immigration Officer at Immigration Checkpoints.

Article 88

Provision concerning type and format of the diplomatic Visa and service Visa and technical procedure of application and provision of such diplomatic Visa and service Visa shall be governed by Regulation of the Minister of Foreign Affairs.

Paragraph 3

Visit Visa

Article 89

(1) Visit Visa shall be granted to Foreigner who will travel to the Indonesia's Territory for a visit in the interest of government duties, education, social, cultural, tourism,

business, family, journalism, or transit to continue traveling to other countries.

(2) Visit Visa as contemplated in clause (1) shall be given for once travel.

(3) In addition to provision for once travel, this visit Visa may also be rendered for several times travel to Foreigner who will make a visit in the interest of:

- a. Government duties;
- b. Business; and
- c. Family.

Article 90

Application for visit Visa shall be submitted to the Minister or a designated Immigration Officer at Representative of the Republic of Indonesia by filling out data application and attach the following requirements:

- a. A legal passport and still valid at least 6 (six) months;
- b. Letter of guarantee from the Guarantor except for visit in the interest of tourism;
- c. Have proof of living expenses for himself/herself and/or his/her family while staying in the Indonesia's Territory;

- d. Return ticket or season ticket to continue travel to another country except for the conveyance crew who will stop by to join the ship and proceed a trip to another country; and
- e. Color photograph.

Article 91

- (1) A designated Immigration Officer at Representative of the Republic of Indonesia shall verify the requirements as contemplated in Article 90.
- (2) In the event that verification of the requirements as contemplated in clause (1) has been complied with and payment has been made in accordance with the provision of laws and regulations, a designated Immigration Officer at Representative of the Republic of Indonesia within no later than four (4) working days shall issue the visit Visa.

Article 92

- (1) Visit Visa can also be given to Foreigner who has no citizenship.
- (2) To obtain a visit Visa, Foreigner as contemplated in clause (1) shall apply for a visit Visa to the Minister or a

designated Immigration Officer at Representative of the Republic of Indonesia in the country the person concerned staying by filling out data application and attach the following requirements:

- a. A legal passport and still valid at least 12 (twelve) months;
- b. Letter of guarantee from the Guarantor except for visit in the interest of tourism;
- c. Have proof of living expenses for himself/herself and/or his/her family while staying in the Indonesia's Territory;
- d. Return ticket or season ticket to continue travel to another country except for the conveyance crew who will stop by to join the ship and proceed a trip to another country;
- e. Re-Entry Permit to the country where a person concerned applies for visit Visa; and
- f. Color photograph.

Article 93

- (1) A designated Immigration Officer at Representative of the Republic of Indonesia shall verify the requirements as contemplated in Article 92 clause (2) and submit to the Minister or a designated Immigration Officer for approval.

- (2) Minister or a designated Immigration Officer shall issue and submit an approval letter for providing a visit Visa to a designated Immigration Officer at Representative of the Republic of Indonesia.

- (3) A designated Immigration Officer at Representative of the Republic of Indonesia shall issue a visit Visa for Foreigner who has no citizenship within no later 4 (four) working days after receipt of the approval of the Minister or a designated Immigration Officer and payment is made in accordance with the provision of laws and regulations.

Article 94

In the event that at Representative of the Republic of Indonesia does not have a designated Immigration Officer, verification of the requirements and a visit Visa issuance as contemplated in Article 91 and Article 93 shall be performed by the Foreign Service Officer who has gained knowledge through training in Immigration.

Article 95

- (1) Visit Visa may be granted to Foreigner from certain country upon arrival at a certain Immigration Checkpoints.

- (2) Visit Visa as contemplated in clause (1) shall constitute a visit Visa upon arrival provided to carry out duties as contemplated in Article 89 clause (1).
- (3) In a specific circumstance, a visit Visa upon arrival may also be granted to a Foreigner who is originating from a certain country as contemplated in clause (1).
- (4) Visit Visa upon arrival as contemplated in clause (3), shall be granted under government instruction or private institution after receiving approval from the Minister or a designated Immigration Officer, in case of:
- a. No Representative of the Republic of Indonesia in his/her country; or
 - b. Emergent or urgent duties.
- (5) Visit Visa upon arrival shall be given by considering the principle of mutual benefit, and shall not cause the security threat.

Article 96

Further provision concerning certain country and Immigration Checkpoints as contemplated in Article 95 clause (1) shall be set forth by Regulation of the Minister.

Article 97

- (1) Visit Visa upon arrival can also be rendered in the area of special economic zone that has been established in accordance with the provisions of laws and regulations.
- (2) Further provision concerning the procedure for granting a visit Visa upon arrival at the special economic zone as contemplated in clause (1) shall be regulated by Regulation of the Minister.

Article 98

- (1) Foreigner from certain country may be exempted from any responsibility to have a visit Visa in order to enter the Indonesian Territory.
- (2) Certain country as contemplated in clause (1) shall be stipulated by Presidential Regulation regarding to the principle of reciprocity and the principle of benefit.

Article 99

Free from visit Visa in addition to be granted to Foreigner from certain country as contemplated in Article 98 clause (1)

may also be granted to the ship's captain, pilot captain, and/or crew that are on duty in the Conveyance.

Article 100

Foreigner from certain country as contemplated in Article 98 clause (1) and the ship's captain, pilot captain, and/or crew who are on duties on the Conveyance as contemplated in Article 99 exempted from the responsibility to have a visit Visa, may enter and exit the Indonesian Territory through Immigration Checkpoints.

Article 101

(1) To obtain a Visit Visa upon arrival and free from visit Visa, Foreigner must attach the following requirements:

- a. A legal original passport and still valid at least 6 (six) months; and
- b. A return ticket or season ticket to continue travel to another country except for the conveyance crew who will stop by to join the ship and continue a trip to another country.

(2) In addition to comply with the requirements as contemplated in clause (1), to obtain the visit Visa upon arrival for

Foreigner who is not originating from certain country as contemplated in Article 95 clause (3) must also attach the following requirements:

- a. Letter of request from the Government of private institution; and
- b. Letter of approval from the Minister or a designated Immigration Officer.

Paragraph 4

Limited Stay Visa

Article 102

(1) Limited stay Visa shall be rendered to carry out the following activities:

- a. in the interest of working; and
- b. not in the interest of working.

(2) Activities in the interest of working as contemplated in clause (1) letter a, shall include:

- a. As an expert;
- b. join to work on the ship, floating device, or installations that operate in the archipelago waters,

territorial sea or continental shelf, as well as the Indonesian Exclusive Economic Zone;

- c. carry out clergy duties;
- d. carry out activities related to the profession by accepting payment;
- e. conduct activities within the framework of the commercial filming and have received permission from the competent authority;
- f. monitor the quality of goods or products;
- g. inspect or audit the company's branch in Indonesia;
- h. after-sales service;
- i. install and repair machinery;
- j. perform the non-permanent work for construction;
- k. perform arts, music, and sports exhibition;
- l. carry out a professional sports;
- m. treatment activities; and
- n. prospective foreign worker who will work in the interest of skill trial test.

(3) Activities that are not in the interest of working as contemplated in clause (1) letter b, shall include:

- a. Make foreign investment;
- b. Participate in training and scientific research;
- c. Participate in education;
- d. Family unification;
- e. Repatriation; and

f. Foreign elderly traveler;

(4) Foreigner who can unite himself/herself with the family as referred to in paragraph (3) letter d, includes:

- a. Foreigner who joins the spouse of Indonesian citizens;
- b. Foreigner who joins the husband or wife holding the limited Stay Permit or Permanent Stay Permit;
- c. child of a valid marriage between Foreigner and Indonesian citizen;
- d. child who is under 18 (eighteen) years of age and unmarried of the Foreigner who is legally married with to Indonesian citizen; and
- e. child who is under 18 (eighteen) years of age and unmarried who joins his/her parents holding the limited Stay Permit or Permanent Stay Permit.

Article 103

(1) Application for the limited Stay Visa shall be submitted by Foreigner or Guarantor to the Minister or A designated Immigration Officer by filling out data application and attach the following requirements:

- a. letter of Guarantee from the Guarantor;

b. photocopy of a legal Nationality Passport and still valid:

1. at least 12 (twelve) months for those who will carry out the job in Indonesian Territory for a period of 6 (six) months;
2. at least 18 (eighteen) months for those who will carry out the job or stay in Indonesian Territory for a period of 1 (one) year; or
3. at least 30 (thirty) months for those who will carry out the job or stay in Indonesian Territory for a period of 2 (two) years.

c. Having proof living cost for himself/herself and/or his/her family while staying in the Indonesian Territory; and

d. Color photograph.

(2) Selain melampirkan requirements as contemplated in clause (1), bagi:

b. Foreigner as referred to in Article 102 clause (2) and clause (3) letter a dan letter b, shall also attach a letter of recommendation from relevant institution and/or government agency in accordance with the provision of laws and regulations;

- c. Foreigner who is legally married with an Indonesian citizen as referred to in Article 102 clause (4) letter a, shall also attach the photocopy of marriage certificate or marriage book;
- d. Foreigner who joins the husband or wife holding the limited Stay Permit or Permanent Stay Permit as referred to in Article 102 clause (4) letter b, shall also attach the photocopy of marriage certificate or marriage book;
- e. child of a valid marriage between Foreigner and Indonesian citizen as referred to in Article 102 clause (4) letter c, shall also attach:
 - 1. photocopy of birth certificate;
 - 2. photocopy of marriage certificate or marriage book of parents;
 - 3. photocopy of resident identification card of a father or a mother of Indonesian citizen that still valid; and
 - 4. photocopy of family card of a father or a mother of Indonesian citizen.
- f. child who is under 18 (eighteen) years of age and unmarried from Foreigner who is legally married with an Indonesian citizen as referred to in Article 102 clause (4) letter d, shall also attach:

1. photocopy of birth certificate;
2. photocopy of marriage certificate or marriage book of parents;
3. photocopy of resident identification card of a father or a mother of Indonesian citizen that still valid; and
4. photocopy of family card of a father or a mother of Indonesian citizen.

g. child who is under 18 (eighteen) years of age and unmarried who joins his/her parents holding the limited Stay Permit or Permanent Stay Permit as referred to in Article 102 clause (4) letter e, shall also attach:

1. photocopy of birth certificate;
2. photocopy of marriage certificate or marriage book of parents; and
3. photocopy of the limited Stay Permit card or Permanent Stay Permit card from parents that is still valid.

h. Foreigner in the interest of repatriation as referred to in Article 102 clause (3) letter e, shall also attach a proof of ever being the Indonesian citizen.

Article 104

- (1) A designated Immigration Officer shall verify the application requirements as referred to in Article 103 and submit results of the verification to the Minister or a designated Immigration Officer for approval.
- (2) The Minister or a designated Immigration Officer shall issue and submit approval letter of providing the limited Stay Visa to a designated Immigration Officer at the Representative of the Republic of Indonesia.
- (3) A designated Immigration Officer at the Representative of the Republic of Indonesia shall issue the limited Stay Visa within no later than four (4) working days as of approval letter receipt of providing the limited Stay Visa and the payment has been made in accordance with the provision of laws and regulations.

Article 105

- (1) In the event that at the Representative of the Republic of Indonesia has no Immigration Officer, provision of the limited Stay Visa shall be made by Foreign Service Officer.

- (2) Foreign Service Officer as contemplated in clause (1) shall first obtain knowledge through training in Immigration.

Article 106

- (1) The limited Stay Visa shall be granted to Foreigner as referred to in Article 102 clause (2) and clause (3) letter a and letter b, upon arrival at certain Immigration Checkpoints.
- (2) The limited Stay Visa as contemplated in clause (1) shall constitute the limited Stay Visa upon arrival rendered to stay in the interest of in the interest of working for the maximum period of 1 (one) month.
- (3) Application for the limited Stay Visa upon arrival as contemplated in clause (2) shall be submitted by Guarantor.
- (4) The limited Stay Visa upon arrival may be granted upon application as contemplated in clause (3) shall be approved by the Minister or a designated Immigration Officer.
- (5) Certain Immigration Checkpoints tertentu as contemplated in clause (1) shall be stipulated by Regulation of the Minister.

Article 107

(1) To obtain the limited Stay Visa upon arrival for Foreigner as referred to in Article 106 clause (1) shall attach the following requirements:

- a. Legal Nationality Passport and still valid for at least 6 (six) months;
- b. Approval letter of the Minister or a designated officer; and
- c. recommendation letter from relevant institution and/or government agency.

(2) To obtain the limited Stay Visa upon arrival for Foreigner who will join to work on board, floating device, or installations that operate in the archipelago waters, territorial sea, continental shelf, and/or Indonesian Exclusive Economic Zone in addition must comply with the requirements as contemplated in clause (1), shall also attach the decision of issuance of the limited Stay Permit from the Director General.

Article 108

Provision concerning type and format of the visit Visa and the limited Stay Visa and the technical procedure of application

and provision of the visit Visa and the limited Stay Visa shall be regulated by the Minister.

Section Three

Rejection of the Visa

Article 109

Foreign Service Officer or Immigration Officer may reject an application of providing the Visa to Foreigner, in case of:

- a. his/her name contained in the list of Deterrence;
- b. has no legal and still valid Travel Document;
- c. has no enough cost of living for himself/herself and/or his/her family while staying in Indonesia;
- d. has no return ticket or season ticket to continue travel to another country;
- e. Has no Re-Entry Permit to the country of origin or has no Visa to another country;
- f. suffer infectious disease, mental disorder, or other things that may endanger the health or public order;
- g. involved in transnational organized crime or endanger the territorial integrity of the Republic of Indonesia State Unitary; and/or
- h. including in the network of prostitution, trafficking in persons, and people smuggling practices.

Section Four

Period of Visa Use

Article 110

- (1) Visa shall be used within no later than 90 (ninety) days as of date of issuance.
- (2) In the event that no Visa is used within the period as contemplated in clause (1), such Visa shall be declared invalid.
- (3) In the event that such is declared invalid, Foreigner who will enter the Indonesian Territory shall resubmit such application of Visa.

Article 111

Diplomatic Visa, service Visa, and visit Visa for several times travel shall be valid for twelve (12) months as of date of issuance.

CHAPTER V

REQUIREMENTS AND PROCEDURES FOR APPLICATION, PROVISION, TERM, REJECTION AND CANCELLATION, AND TRANSFER OF STAY PERMIT STATUS

Section One

General

Article 112

(1) Every Foreigner who stays in the Indonesian Territory shall be obliged to have Stay Permit.

(2) Stay Permit shall be granted to Foreigner pursuant to Visa owned.

(3) Stay Permit shall consist of:

- a. Diplomatic Stay Permit;
- b. Service Stay Permit;
- c. Visit Stay Permit;
- d. Limited Stay Permit; and
- e. Permanent Stay Permit.

(4) Stay Permit as contemplated in clause (1) may be manually or electronically granted.

Article 113

Every Foreigner who stays in the Indonesian Territory shall not have more than 1 (one) Stay Permit as referred to in Article 112 clause (3).

Article 114

Indonesian citizen, who lost his /her Indonesian citizenship in the Indonesian Territory for following the citizenship of the husband or wife in accordance with the provision of laws and regulations, shall be granted a Stay Permit pursuant to Stay Permit of the husband or wife.

Article 115

(1) Exempted from the requirements to have a Stay Permit is Foreigner who:

- a. goes through any detention for the purposes of the investigation process, prosecution, and examination at trial or to undergo confinement or imprisonment in the penitentiary, while his/her valid period of a Stay Permit has expired;
- b. obtains a license outside Immigration detention center in accordance with the provision of laws and regulations; and stays in Indonesian Territory for being a victim of trafficking in persons.

(2) Further provision concerning Foreigner exempted from the requirements to have a Stay Permit as contemplated in clause (1) shall be set forth by Regulation of the Minister.

Article 116

- (1) Foreigner who is discontinued the investigation and acquitted of a crime by a court decision in permanent legal force or released from lawsuit, may be granted back a Stay Permit.
- (2) Stay Permit as contemplated in clause (1) dapat diberikan pursuant to Stay Permit sebelumnya dan jangka waktunya in accordance with the provision of laws and regulations.
- (3) In the event that no Stay Permit is granted, Foreigner as contemplated in clause (1) must leave the Indonesian Territory.

Bagian Kedua

Requirements and Procedures of Application, Provision, Term and Renewal of a Stay Permit

Paragraph 1

Diplomatic Stay Permit

Article 117

- (1) Diplomatic Stay Permit shall be granted to Foreigner holding diplomatic Passport and another Passport who enters the Indonesian Territory with a diplomatic Visa to make a visit and/or residing in the Indonesian Territory.

- (2) Diplomatic Stay Permit for a visit may also be granted to Foreigner from a country exempted from the requirements to have a Visa under an international agreement regarding the principle of reciprocity.
- (3) Diplomatic Stay Permit as contemplated in clause (2) shall apply to carry out the diplomatic duties.

Article 118

Diplomatic Stay Permit to make a visit in the Indonesian Territory shall commence to apply since an Entry Stamp rendered by an Immigration Officer at Immigration Checkpoints.

Article 119

- (1) To obtain the diplomatic Stay Permit with the intention of residing in the Indonesian Territory, Foreigner as referred to in Article 117 clause (1) shall apply to the Minister of Foreign Affairs or a designated Officer within no later than 30 (thirty) days as of an Entry Stamp granted by the Immigration Officer at Immigration Checkpoints.
- (2) Application as contemplated in clause (1) shall be submitted by attaching the following requirements:
 - a. diplomatic Passport or another passport; and

b. diplomatic note.

Article 120

- (1) The Minister of Foreign Affairs or a designated Officer shall verify an application as referred to in Article 119 clause (2).
- (2) In the event that verification of the requirements as contemplated in clause (1) has been complied with, the Minister of Foreign Affairs or a designated Officer shall issue a diplomatic Stay Permit for residing in the Indonesian Territory by considering the principle of the reciprocity.

Article 121

- (1) Diplomatic Stay Permit for a visit shall be rendered within not later than 30 (thirty) days since issuance of an Entry Stamp.
- (2) Diplomatic Stay Permit as contemplated in clause (1) may be renewed once for the maximum period of 30 (thirty) days.

Article 122

(1) Diplomatic Stay Permit for residing in Indonesian Territory diberikan for the maximum period of 2 (two) years since of providing an approval of the diplomatic Stay Permit by the Minister of Foreign Affairs or a designated Officer.

(2) Diplomatic Stay Permit as contemplated in clause (1) may be renewed for the maximum period of 1 (one) year for once travel.

Article 123

Requirements and procedures of an application and term of issuance of a diplomatic Stay Permit with intention of residing in the Indonesian Territory as referred to in Article 119 and Article 120 shall also apply for issuing renewal of a diplomatic Stay Permit to make a visit and/or residing in the Indonesian Territory.

Article 124

Further provision concerning technical procedures of provision and renewal of a diplomatic Stay Permit shall be set forth by Regulation of the Minister of Foreign Affairs.

Paragraph 2

Service Stay Permit

Article 125

- (1) Service Stay Permit shall be granted to Foreigner holding service Passport and another Passport who enters the Indonesian Territory with a service Visa to make a visit and/or residing in the Indonesian Territory.
- (2) Service Stay Permit for a visit may also be granted to Foreigner from a country exempted from the requirements to have a Visa under an international agreement regarding the principle of reciprocity.
- (3) Service Stay Permit as contemplated in clause (2) shall apply to carry out non-diplomatic official duties from foreign government or international government.

Article 126

Service Stay Permit with intention to make a visit in order to carry out non-diplomatic official duties from foreign government or international organization shall enter into force since an Entry Stamp granted by the Immigration Officer at Immigration Checkpoints.

Article 127

- (1) To obtain a Service Stay Permit with intention of residing in the Indonesian Territory, Foreigner as referred to in Article 125 clause (1) shall submit an application to the Minister of Foreign Affairs or a designated Officer within the maximum period of 30 (thirty) days since an Entry Stamp rendered by the Immigration Officer at Immigration Checkpoints.
- (2) Application as contemplated in clause (1) shall be submitted by attaching the following requirements:
 - a. service passport or another passport;
 - b. approval letter of the Government and official note from the Ministry carrying out the government affairs in State secretariat; and/or
 - c. letter from other competent institution.

Article 128

- (1) The Minister of Foreign Affairs or a designated Officer shall verify the requirements as referred to in Article 127 clause (2).
- (2) In the event that verification of the requirements as contemplated in clause (1) has been complied with, the Minister of Foreign Affairs or a designated Officer shall

issue a Service Stay Permit for residing in the Indonesian Territory by considering the principle of the reciprocity.

Article 129

- (1) Service Stay Permit untuk kunjungan singkat diberikan for the maximum period 30 (thirty) days as of date of an Entry Stamp is rendered.
- (2) Service Stay Permit as contemplated in clause (1) dapat diperpanjang 1 (satu) kali for the maximum period 30 (thirty) days.

Article 130

- (1) Service Stay Permit for residing in the Indonesian Territory shall be granted for the maximum period of 1 (one) year since approval of a Service Stay Permit granted by the Minister of Foreign Affairs or a designated Officer.
- (2) Service Stay Permit as contemplated in clause (1) may be renewed for the maximum period of 1 (one) year for once travel.

Article 131

Requirements and procedures of an application and term of issuance Service Stay Permit with intention of residing in the Indonesian Territory as referred to in Article 127 and Article 128 shall also apply for issuing renewal of a Service Stay Permit to make a visit and/or residing in the Indonesian Territory.

Article 132

Further provision concerning technical procedure of provision and renewal of a Service Stay Permit shall be set forth by Regulation of the Minister of Foreign Affairs.

Paragraph 3

Visit Stay Permit

Article 133

(1) Visit Stay Permit shall be granted to:

- a. Foreigner who enters the Indonesian Territory with a Visit Visa; or
- b. Newly child born in the Indonesian Territory and when born his/her father and/or mother holding a visit Stay Permit.

(2) Visit Stay Permit rendered to Foreigner as contemplated in clause (1) may also be granted to:

- a. Foreigner from the country exempted of the requirements to have a Visa in accordance with the provision of laws and regulations;
- b. Foreigner who is assigned as the crew of Conveyance that is anchoring or is in the Indonesian Territory in accordance with the provision of laws and regulations;
- c. Foreigner that enters the Indonesian Territory in an emergency; and
- d. Foreigner who enters the Indonesian Territory with a visit Visa upon arrival.

Article 134

- (1) Visit Stay Permit shall be granted by the Immigration Officer at Immigration Checkpoints.
- (2) Application of a visit Stay Permit for newly child born in the Indonesian Territory from the parents holding a visit Stay Permit shall be submitted to the Head Immigration Office or a designated Immigration Officer at Immigration Office where its service area covers the residence in question.
- (3) Visit Stay Permit as contemplated in clause (2) shall be submitted by filling out data application and attach the following requirements:

- a. Child nationality passport from its country representative in Indonesia;
- b. child's birth certificate from the hospital or birth certificate from the competent authority;
- c. photocopy of parents Nationality Passport; and
- d. photocopy of a visit Stay Permit of the parents.

Article 135

- (1) Head Immigration Office or a designated Immigration Officer shall verify the requirements as referred to in Article 134 clause (3).
- (2) In the event that verification of the requirements as contemplated in clause (1) has been complied with and payment has been made in accordance with the provision of laws and regulations, Head Immigration Office or a designated Immigration Officer within the maximum period of 4 (empat) working days shall issue a visit Stay Permit.

Article 136

- (1) Visit Stay Permit for visit Visa holder at once travel and several times travel shall be granted for the maximum

period 60 (sixty) days as of date of an Entry Stamp is provided.

(2) Visit Stay Permit for visit Visa holder at once travel as contemplated in clause (1) may be renewed at the maximum of four (4) times and the maximum term for each renewal is 30 (thirty) days.

(3) Visit Stay Permit for visit Visa holder for several times travel as contemplated in clause (1) cannot be renewed.

Article 137

(1) Visit Stay Permit bagi visit Visa holder upon arrival shall be granted for the maximum period of 30 (thirty) days as of date of an Entry Stamp is given.

(2) Visit Stay Permit for visit Visa holder upon arrival as contemplated in clause (1) can be renewed once for the maximum period of 30 (thirty) days.

Article 138

(1) Visit Stay Permit for Foreigner from the country exempted from the requirements to have a Visa shall be granted for

the maximum period 30 (thirty) days as of date of an Entry Stamp is rendered.

- (2) Visit Stay Permit for Foreigner from the country exempted from the requirements to have a Visa as contemplated in clause (1) cannot be renewed.

Article 139

Visit Stay Permit for:

- a. Foreigner who is assigned as crew of Conveyance that is anchoring or is in the Indonesian Territory, shall be granted for the maximum period of 60 (sixty) days as of date of an Entry Stamp is rendered and cannot be renewed.
- b. Newly child born in the Indonesian Territory and when born his/her father and/or his/her mother holding a visit Visa Permit, shall be given for the period conformed to a visit Stay Permit of his/her parents; and
- c. Foreigner who enters the Indonesian Territory in an emergency state, shall be granted for the maximum period of 30 (thirty) days as of date of an Entry Stamp is rendered.

Article 140

- (1) Application of renewal of a Visit Stay Permit for Foreigner who enter the Indonesian Territory with a Visit Visa as referred to in Article 133 clause (1) letter a, shall be submitted to Head Immigration Office or a designated Immigration Officer whose service area includes the residence in question by filling out data application and attach the following requirements:
 - a. Letter of Guarantee from the Guarantor when submit an application of a Visa; and
 - b. Legal and still valid passport.

- (2) Application of a visit Stay Permit renewal for newly child born in the Indonesian Territory and when born his/her father and/or his/her mother holding a Visit Stay Permit as referred to in Article 133 clause (1) letter b, shall be submitted to Head Immigration Office or a designated Immigration Officer whose service area includes the residence in question by filling out data application and attach the requirements as referred to in Article 134 clause (3).

- (3) Procedures of application and term of issuing a Visit Stay Permit shall also apply for issuance of renewal of a Visit Stay Permit.

Paragraph 4
Limited Stay Permit
Article 141

(1) The limited Stay Permit shall be given to:

- a. Foreigner who enters the Indonesian Territory with a limited Stay Visa;
- b. Child that when born in the Indonesian Territory his/her father and/or mother holding a limited Stay Permit;
- c. Foreigner who is given transfer of status from a Visit Stay Permit;
- d. Ship's captain, crew of ships, or foreign expert on board of ship, floating device, or installations that operate in waters territory and jurisdiction territory of Indonesia in accordance with the provision of laws and regulations;
- e. Foreigner who is legally married with Indonesian citizen; or
- f. Child from Foreigner who is legally married with Indonesian citizen.

(2) Foreigner as contemplated in clause (1) letter a and letter c, includes:

- a. Foreigner in the interest of investment;
- b. Work as an expert;
- c. carry out clergy duties;
- d. participate in education and training;
- e. conduct scientific research;
- f. join the husband or wife holding the limited Stay Permit;
- g. join father and/or mother for child with foreign nationality who has a family legal relationship with an Indonesian citizen father and/or a mother;
- h. join father and/or mother holding the limited Stay Permit or the Permanent Stay Permit for child whose age is under 18 (eighteen) years and unmarried;
- i. Foreigner who is former of an Indonesian citizen; and
- j. Foreign elderly traveler.

Article 142

- (1) Application of a limited Stay Permit shall be submitted by Foreigner as referred to in Article 141 or his/her Guarantor to Head Immigration Office or a designated Immigration Officer whose service area covers such Foreigner residence.

(2) Application as contemplated in clause (1) shall be submitted by filling out data application and attach the following requirements:

a. for child at birth in the Indonesian Territory his father and/or mother holding the limited Stay Permit as referred to in Article 141 clause (1) letter b, include:

1. letter of Guarantee from the Guarantor;
2. Legal Nationality Passport and still valid;
3. photocopy of birth certificate;
4. photocopy of marriage certificate or marriage book from parents;
5. photocopy of legal Nationality Passport of a father and/or a mother and still valid; and
6. photocopy of the limited Stay Permit of a father and/or a mother that is still valid.

b. For Foreigner who is legally married with Indonesian citizen as referred to in Article 141 clause (1) letter e, includes:

1. application letter from Indonesian citizen husband or wife;
2. Legal Nationality Passport and still valid;
3. domicile certificate;

4. photocopy of marriage certificate or marriage book;
5. photocopy of proof letter on marriage report from civil registration for a marriage solemnized outside the country;
6. photocopy of resident identification card from the Indonesian citizen husband or wife that still valid; and
7. photocopy of the family card from the Indonesian citizen husband or wife.

c. For child from Foreigner who is legally married with Indonesian citizen as referred to in Article 141 clause (1) letter f, who is under 18 (eighteen) years of age and unmarried, includes:

1. application letter from the Indonesian citizen father and/or mother;
2. Legal Nationality Passport and still valid;
3. domicile certificate;
4. photocopy of birth certificate;
5. photocopy of parents' marriage certificate or marriage book;
6. photocopy of resident identification card of the Indonesian citizen father or mother that is still valid; and

7. photocopy of the family card of the Indonesian citizen father atau mother yang.

d. For Foreigner as referred to in Article 141 clause (2) letter a until letter e, includes:

1. letter of Guarantee from the Guarantor;
2. Legal Nationality Passport and still valid;
3. domicile certificate; and
4. recommendation letter from relevant institution and/or government agency.

e. For Foreigner who joins the husband or wife holding the limited Stay Permit as referred to in Article 141 clause (2) letter f, includes:

1. letter of Guarantee from the Guarantor;
2. Legal Nationality Passport and still valid;
3. domicile certificate;
4. photocopy of marriage certificate or marriage book; and
5. photocopy of the limited Stay Permit of the husband or wife.

f. For child with foreign nationality who joins an Indonesian citizen father and/or mother as referred to in Article 141 clause (2) letter g, includes:

1. application letter from an Indonesian citizen father and/or mother;
2. Legal Nationality Passport and still valid;
3. domicile certificate;
4. photocopy birth certificate;
5. photocopy of parents marriage certificate or marriage book;
6. photocopy resident identification card father and/or mother Indonesian citizen that is still valid; and
7. photocopy of the family card from an Indonesian citizen father and/or mother.

g. For child whose age is under 18 (eighteen) years of age and unmarried who joins a father and/or a mother holding a limited Stay Permit or the Permanent Stay Permit as referred to in Article 141 clause (2) letter h, includes:

1. letter of Guarantee from the Guarantor;
2. Legal Nationality Passport and still valid;
3. domicile certificate;

4. photocopy of birth certificate;
5. photocopy of parents marriage certificate or marriage book;
6. photocopy of legal Nationality Passport of a father and/or a mother and still valid; and
7. photocopy of legal limited Stay Permit of a father and/or a mother and still valid.

h. For Foreigner who is a former of Indonesian citizen as referred to in Article 141 clause (2) letter i, includes:

1. letter of Guarantee from the Guarantor;
2. Legal Nationality Passport and still valid;
3. domicile certificate; and
4. proof indicates that the person concerned is ever being an Indonesian citizen.

i. For foreign elderly traveler as referred to in Article 141 clause (2) letter j, includes:

1. letter of Guarantee from tourism travel agency that has an operation license in accordance with the provision of laws and regulations;
2. Legal Nationality Passport and still valid;
3. statement letter concerning fund availability to fulfill his/her living needs while staying in

Indonesia the pension fund institution or bank in his/her origin country or in Indonesia;

4. health insurance police, death police, and legal liability insurance to third party in civil sector;
5. written statement to live within means of available accommodation while in Indonesia, either obtained by rent, lease, or purchase; and
6. statement letter to employ informal workers of Indonesian citizen.

Article 143

- (1) Application as referred to in Article 142 shall be submitted within the maximum period of 30 (thirty) days as of an Entry Stamp is granted.
- (2) In the event that application of no limited Stay Permit is submitted within the period as contemplated in clause (1) any charge fee shall be imposed in accordance with the provision of laws and regulations

Article 144

- (1) Head Immigration Office or a designated Immigration Officer shall verify the requirements as referred to in Article 142 clause (2).

(2) In the event that verification of the requirements as contemplated in clause (1) has been complied with a photo taking has been made, Head Immigration Office or a designated Immigration Officer within the maximum period of 4 (empat) working days shall issue the limited Stay Permit.

Article 145

- (1) Application of the limited Stay Permit for ship's captain, crew of ship, or foreign expert on board of ship, floating device, or installations that operate on waters territory and jurisdiction territory of Indonesia pursuant to the provision of laws and regulations as referred to in Article 141 clause (1) letter d shall be submitted by Guarantor to the Director General or a designated Immigration Officer.
- (2) Application as contemplated in clause (1) may be submitted before or after entering the waters territory of Indonesia.
- (3) Application submitted before entering the waters territory of Indonesia as contemplated in clause (2) shall be filed by attaching the following requirements:
- a. letter of Guarantee from the Guarantor;
 - b. list of ship's crew signed by ship's captain;

- c. photocopy of the passport; and
- d. certificate from relevant institution and/or government agency.

(4) Application submitted after entering the waters territory of Indonesia as contemplated in clause (2) shall be submitted by attaching the following requirements:

- a. letter of Guarantee from the Guarantor;
- b. list of ship's crew signed by ship's captain and acknowledged by an Immigration Officer at Immigration Checkpoints;
- c. photocopy the passport that an Entry Stamp has been given; and
- d. certificate from relevant institution and/or government agency.

(5) In the event that Application is submitted after entering the waters territory of Indonesia, shall be submitted no later than 30 (thirty) days as of an Entry Stamp is granted.

(6) In the event that no application of the limited Stay Permit is submitted within the period as contemplated in clause (5), any charge fee shall be imposed in accordance with the provision of laws and regulations.

(7) In the event that the requirements as contemplated in clause (3) dan clause (4) have been complied with, the Director General or a designated Immigration Officer shall provide any issuance approval of such limited Stay Permit.

Article 146

Ship's captain, crew of ship, or foreign expert on board of ship, floating device, or installations that operate on waters territory and jurisdiction territory Indonesia in accordance with the provision of laws and regulations, which have obtained any issuance approval of the limited Stay Permit as referred to in Article 145 clause (7), shall report to Head Immigration Office who controls the service area concerned in order to obtain any seal of such limited Stay Permit.

Article 147

Further provision concerning procedures of providing the limited Stay Permit for ship's captain, crew of ship, or foreign expert on board of ship, floating device, or installations that operate on waters territory and jurisdiction territory Indonesia shall be set forth by Regulation of the Minister.

Article 148

(1) The limited Stay Permit shall be granted for the maximum period of 2 (two) years and may be renewed.

(2) Each time renewal as contemplated in clause (1) shall be granted a maximum of 2 (two) years provided that overall Stay Permit in the Indonesian Territory shall not exceed 6 (six) years.

Article 149

(1) The limited Stay Permit may also be granted to Foreigner in order to carry out the work, within the maximum period of 90 (ninety) days and may be renewed.

(2) Renewal of the limited Stay Permit as contemplated in clause (1) shall be given a maximum of 30 (thirty) days provided that overall Stay Permit in the Indonesian Territory shall not exceed 180 (one hundred and eighty) days.

Article 150

(1) The limited Stay Permit for holder of a limited Stay Visa upon arrival shall be granted for the maximum period 30 (thirty) days.

- (2) The limited Stay Permit for holder of a limited Stay Visa upon arrival as contemplated in clause (1) cannot be renewed.

Article 151

- (1) Provisions concerning the requirements and procedures of an application and term of issuance of the limited Stay Permit as referred to in Article 142 through Article 146, shall also apply for renewal of the limited Stay Permit.
- (2) In addition to comply with the requirements as referred to in Article 142 clause (2) dan Article 145 clause (3) dan clause (4), for renewal of the limited Stay Permit shall also attach an old card of the limited Stay Permit.

Paragraph 5

Permanent Stay Permit

Article 152

- (1) Permanent Stay Permit may be granted to:
- a. Foreigner holding the limited Stay Permit as clergyman, worker, investor, and elderly;
 - b. Family as a result of mixed marriage;

- c. husband, wife, and/or child from Foreigner holding a permanent Stay Permit; and
 - d. Foreigner who is a former of Indonesian citizen dan a subject former of child with dual nationality of the Republic of Indonesia.
- (2) The permanent Stay Permit rendered to Foreigner as contemplated in clause (1) may also be granted to:
- a. subject former of child with dual nationality of the Republic of Indonesia who chooses foreign citizenship;
 - b. child born in Indonesia from Foreigner holding a permanent Stay Permit; and
 - c. Indonesian citizen who lost his/her Indonesian citizenship in Indonesian Territory.
- (3) The Permanent Stay Permit for Foreigner as contemplated in clause (1) shall be provided through transfer of status.
- (4) The Permanent Stay Permit for Foreigner as contemplated in clause (2) shall be directly rendered without passing through transfer of status.

Article 153

- (1) Application of a Permanent Stay Permit shall be submitted by Foreigner or Guarantor to Head Immigration Office or

a designated Immigration Officer whose service area covers a residence of Foreigner concerned.

(2) Application of a Permanent Stay Permit as contemplated in clause (1) shall be submitted by filling out data application and attach the following requirements:

- a. Legal Nationality Passport and still valid;
- b. Photocopy of a limited Stay Permit that still valid except for Foreigner as referred to in Article 152 clause (2);
- c. domicile certificate;
- d. integration statement signed by the person concerned;
and
- e. recommendation from relevant institution and/or government agency.

(3) In addition to attach the requirements as contemplated in clause (2), for:

a. child who will follow or join his/her father and/or mother holding a Permanent Stay Permit, shall also attach:

1. letter of Guarantee from the Guarantor;
2. photocopy of birth certificate;

3. photocopy of parents marriage certificate or marriage book;
4. photocopy of legal Nationality Passport of a father and/or a mother and still valid;
5. photocopy of the Permanent Stay Permit of a father and/or a mother that still valid; and
6. decision on his/her transfer of Stay Permit status.

b. Child born in Indonesian Territory from parents holding a Permanent Stay Permit, shall also attach:

1. letter of Guarantee from the Guarantor;
2. photocopy of birth certificate;
3. photocopy of parent marriage certificate or marriage book;
4. photocopy legal Nationality Passport of a father and/or a mother and still valid; and
5. photocopy of a Permanent Stay Permit of a father and/or a mother that still valid.

c. Foreigner who is a former of Indonesian citizen, shall also attach:

1. letter of Guarantee from the Guarantor;
2. proof indicates that the person concerned is ever being an Indonesian citizen; and

3. decision on his/her transfer of Stay Permit status

d. subject former of child with dual nationality who chooses foreign citizenship, shall also attach:

1. application letter from an Indonesian citizen father or mother;

2. filling out form of statement to choose foreign citizenship in accordance with the provision of laws and regulations;

3. proof of Passport returning for those have; and

4. proof of immigration facilities returning.

e. Foreign citizen husband or wife who joins the Indonesian citizen wife or husband, shall also attach:

1. application letter from an Indonesian citizen husband or wife;

2. photocopy of marriage certificate or marriage book;

3. photocopy of marriage report letter from the competent institution solemnized outside the country;

4. photocopy of resident identification card for an Indonesian citizen husband or wife that still valid;

5. photocopy of the family card for an Indonesian citizen husband or wife; and
6. decision status transfer.

f. Child with foreign citizenship from a legal marriage who joins his/her Indonesian citizen father or mother, shall also attach:

1. application letter from father atau mother yang Indonesian citizen;
2. photocopy resident identification card father atau mother Indonesian citizen still valid;
3. photocopy birth certificate;
4. photocopy family card father atau mother yang Indonesian citizen; and
5. decision status transfer.

g. Child from Foreigner who is legally married with an Indonesian citizen, whose age is under 18 (eighteen) years and unmarried who joins his/her Indonesian citizen father or mother, shall also attach:

1. application letter from an Indonesian citizen father or mother;
2. photocopy of parents marriage certificate or marriage book;

3. photocopy of resident identification card for an Indonesian citizen father or mother that still valid;
4. photocopy of birth certificate;
5. photocopy family card father atau mother yang Indonesian citizen; and
6. decision status transfer.

Article 154

- (1) Head Immigration Office or a designated Immigration Officer shall verify the completion of application as referred to in Article 153 clause (2) and clause (3).
- (2) In the event that verification of application completion as contemplated in clause (1) has been complied with and a photo taking has been made, Head Immigration Office or a designated Immigration Officer within the maximum period of 4 (empat) working days shall issue a Permanent Stay Permit.

Article 155

- (1) The Permanent Stay Permit shall be granted for the period of 5 (five) years.

- (2) The Permanent Stay Permit as contemplated in clause (1) may be granted renewal for unlimited term provided that while his/her Stay Permit is not invalidated.

Article 156

- (1) Foreigner holding a Permanent Stay Permit who has made any renewal as referred to in Article 155 clause (2) must report to Immigration Office where its service area covers the residence of Foreigner every 5 (five) years.
- (2) Further provision concerning report procedures for Foreigner holding a Permanent Stay Permit as contemplated in clause (1) shall be set forth by Regulation of The Minister.

Article 157

- (1) Provisions concerning the requirements and procedures of an application and term of issuance Permanent Stay Permit as referred to in Article 153 and Article 154, shall also apply for renewal of a Permanent Stay Permit.
- (2) In addition to comply with the requirements as referred to in Article 153 clause (2) dan clause (3), for renewal of

the Permanent Stay Permit shall also attach an old card of the Permanent Stay Permit.

Section Three

Rejection and Cancellation of Stay Permit

Article 158

Immigration Officer may reject an application of provision or renewal of a Visit Stay Permit, limited Stay Permit, dan Permanent Stay Permit in the event that:

- a. his/her name contained in the list of Deterrence;
- b. his/her Travel Document is alleged false;
- c. suffering from mental disorder or infectious disease that endangers public health or suspected of committing act that violates moral norms apply in Indonesia;
- d. providing false information in obtaining Visa;
- e. suspected of involvement in international crime and transnational organized crime;
- f. showing behavior that endangers security and public order;
- g. including in the search of people in wanted people list of a foreign country;

- h. suspected of involvement in unlawful activities of against the government of the Republic of Indonesia;
or
- i. suspected of involvement in political activities that harm the State.

Article 159

- (1) The Visit Stay Permit, Limited Stay Permit, dan Permanent Stay Permit may be invalidated by the Minister or a designated Immigration Officer.
- (2) The Visit Stay Permit as contemplated in clause (1) may be invalidated in the event that Foreigner:
 - a. is evidenced to perpetrate the criminal act to the State as set forth in laws and regulations;
 - b. commits dangerous activities or suspected would be dangerous to the security and public order;
 - c. violates the provision of laws and regulations;
 - d. provides false information in submitting an application of a Visit Stay Permit; or
 - e. imposed Immigration Administrative Action.
- (3) The limited Stay Permit as contemplated in clause (1) may be invalidated in the event that Foreigner:

- a. is evidenced to perpetrate the criminal act to the State as set forth in laws and regulations;
- b. commits dangerous activities or suspected would be dangerous to the security and public order;
- c. violates the provision of laws and regulations;
- d. provides false information in submitting an application of a Visit Stay Permit;
- e. imposed Immigration Administrative Action; or
- f. marriage relationship breaks up because of divorce and/or a court verdict for Foreigner who obtains the limited Stay Permit for legally married to Indonesian citizen.

(4) Permanent Stay Permit as contemplated in clause (1) may be invalidated in the event that Foreigner:

- a. is evidenced to perpetrate the criminal act to the State as set forth in laws and regulations;
- b. commits dangerous activities or suspected would be dangerous to the security and public order;
- c. violates an integration statement;
- d. employs foreign workers without work permits;
- e. provides false information in submitting an application of a Permanent Stay Permit;
- f. imposed Immigration Administrative Action; or

g. marriage relationship breaks up of Foreigner who is legally married with Indonesian citizen because of divorce and/or a court verdict, except for a marriage that has lasted 10 (ten) years or more.

Article 160

- (1) In the event that an Indonesian citizen husband or wife dies, the limited Stay Permit or the Permanent Stay Permit of Foreigner obtained because of mixed marriage shall remain valid.
- (2) Foreigner as contemplated in clause (1) where her husband or his wife of Indonesian citizen dies shall have the Guarantor who has an Indonesian citizenship.

Article 161

- (1) In the event that an Indonesian citizen father and/or mother die, the limited Stay Permit or the Permanent Stay Permit of a child who has a foreign citizenship from mixed marriage shall remain valid.
- (2) Child, who has a foreign citizenship from mixed marriage as contemplated in clause (1) where his/her Indonesian

citizen father and/or mother die, shall have the Guarantor who has an Indonesian citizenship.

Article 162

- (1) For mixed marriage that has lasted 10 (ten) years or more, a Permanent Stay Permit of Foreigner obtained for legal marriage shall remain valid although his/her marriage has ended due to divorce and/or upon court decision.
- (2) Holder of the Permanent Stay Permit as contemplated in clause (1) shall have the Guarantor who has an Indonesian citizenship.

Article 163

- (1) For mixed marriage that lasts less than 10 (ten) years, Permanent Stay Permit Foreigner obtained for legal marriage shall remain valid although his/her marriage has ended due to divorce and/or upon court decision in case of the Foreigner concerned has a Guarantor.
- (2) Guarantor as contemplated in clause (1) shall constitute an individual who has an Indonesian citizenship.

(3) Guarantor as contemplated in clause (2) shall be submitted to Immigration Office where its service area covers the residence of Foreigner within the maximum period of 60 (sixty) days as of date of divorce deed is issued.

(4) In the event that such Foreigner files no Guarantor within the period as contemplated in clause (3) then such Permanent Stay Permit shall be invalidated.

Article 164

Further provision concerning technical procedures of provision, renewal, rejection, and cancellation of the Visit Stay Permit, the limited Stay Permit, dan the Permanent Stay Permit shall be set forth by Regulation of the Minister.

Section Four

Transfer of Status

Article 165

(1) Stay Permit that has been granted to the Foreigner can be transferred of the status.

(2) Stay Permit that may be transferred of the status includes:

a. The Visit Stay Permit into the limited Stay Permit;

- b. The limited Stay Permit into the Permanent Stay Permit;
and
 - c. The Visit Stay Permit dan the limited Stay Permit into
Service Stay Permit.
- (3) Transfer of status for a Stay Permit as contemplated in
clause (2) shall be stipulated by Decision of the Minister.

Article 166

- (1) Application of transfer of status for a Visit Stay Permit
into the limited Stay Permit shall be submitted by the
Guarantor to Head Immigration Office where its service area
covers the residence of such Foreigner.
- (2) Application of transfer of status as contemplated in clause
(1) may be submitted since such Foreigner is in the
Indonesian Territory.
- (3) Transfer of status as contemplated in clause (1) may be
granted to the Foreigner who:
 - a. make an investment;
 - b. works as an expert;
 - c. carries out the work as a clergyman;
 - d. participated in education and training;
 - e. conducts scientific research;

- f. joins an Indonesian citizen husband or wife;
- g. join a husband or wife holding the limited Stay Permit or the Permanent Stay Permit;
- h. joins the parents for child who has an Indonesian citizenship having a family law relationship with Indonesian citizen parents;
- i. joins the parents holding the limited Stay Permit or the Permanent Stay Permit for child whose age is under 18 (eighteen) years and unmarried;
- j. based on grounds of expediency for the welfare of society and/or humanity after getting consideration of the Minister;
- k. in the interest of re-obtaining a citizenship of the Republic of Indonesia based on the provision of laws and regulations; and/or
- l. foreign elderly traveler.

(4) To obtain the provision of transfer of status as contemplated in clause (3) letter a through letter e, the Guarantor shall attach a recommendation letter from relevant institution and/or government agency in accordance with the provision of laws and regulations.

(5) Application of transfer of status as contemplated in clause (1) shall be exempted for:

- a. Holder of a Visit Stay Permit based on visit Visa upon arrival or free from visit Visa; or
- b. Conveyance crew.

Article 167

(1) Application of transfer of status for a limited Stay Permit into a Permanent Stay Permit shall be submitted by the Guarantor to Head Immigration Office where its service area covers the residence of such Foreigner.

(2) Foreigner as contemplated in clause (1) includes:

- a. clergyman;
- b. worker;
- c. investor;
- d. foreign elderly traveler;
- e. the husband or wife who joins the wife or husband holding a Permanent Stay Permit;
- f. child whose age is under 18 (eighteen) years and unmarried who joins the parents holding a Permanent Stay Permit; and
- g. Foreigner who is a former of Indonesian citizen.

(3) Transfer of status for a limited Stay Permit into a Permanent Stay Permit for Foreigner as contemplated in clause (2) letter a through letter d shall be granted

provided that Foreigner concerned has stayed in the Indonesian Territory at least 3 (three) years respectively since date of a limited Stay Permit is granted.

- (4) To obtain the provision of transfer of status for Foreigner as contemplated in clause (2) letter a through letter c, the Guarantor shall attach the recommendation letter from head relevant institution and/or government agency in accordance with the provision of laws and regulations.

Article 168

- (1) Transfer of status for a limited Stay Permit into a Permanent Stay Permit may also be granted to:
 - a. Foreigner who joins an Indonesian citizen husband or wife whose age of marriage has reached a minimum period of 2 (two) years;
 - b. Foreigner who joins a father and/or a mother for child who has a foreign citizenship having a family law relationship with an Indonesian citizen father and/or mother; and
 - c. Child whose age is under 18 (eighteen) years and unmarried from Foreigner who is legally married with Indonesian citizen.

(2) Application of transfer of status for a limited Stay Permit into a Permanent Stay Permit for Foreigner as contemplated in clause (1) shall be submitted by a father and/or a mother from child who has a foreign citizenship, or an Indonesian citizen husband or wife to Head Immigration Office where its service area covers the residence of the person concerned.

(3) Transfer of status as contemplated in clause (1) shall regard the benefit aspect for the welfare of society and/or humanity.

Article 169

Further provision concerning technical procedures of transfer of status for a Visit Stay Permit into a limited Stay Permit and transfer of status for a limited Stay Permit into a Permanent Stay Permit shall be set forth by Regulation of the Minister.

Article 170

(1) Application of transfer of status for a Visit Stay Permit and a limited Stay Permit into a Service Stay Permit shall be submitted by diplomatic representative, consular representative, or international organization to the

Minister of Foreign Affairs or a designated Officer to obtain approval in writing.

(2) Minister of Foreign Affairs or a designated Officer shall submit any approval in writing as contemplated in clause (1) to the Minister or a designated Officer.

(3) Minister or a designated Officer shall stipulate any decision concerning transfer of status for a Visit Stay Permit or a limited Stay Permit into a Service Stay Permit to be submitted to the Minister of Foreign Affairs.

(4) Minister of Foreign Affairs or a designated Officer shall issue a Service Stay Permit and submit to the Minister or a designated Officer to be entered into the Management Information System of Immigration.

Article 171

Further provision concerning technical procedures of transfer of status for a Visit Stay Permit and a limited Stay Permit into a Service Stay Permit shall be set forth by Regulation of the Minister of Foreign Affairs.

CHAPTER VI

IMMIGRATION CONTROL, IMMIGRATION INTELLIGENCE, IMMIGRATION
DETENTION CENTER AND IMMIGRATION DETENTION ROOM, AND HANDLING
VICTIMS OF TRAFFICKING IN PERSONS AND HUMAN TRAFFICKING

Section One

Immigration Control

Paragraph 1

General

Article 172

- (1) The Minister shall undertake the Immigration control.
- (2) Immigration control as contemplated in clause (1) includes:
 - a. control to Indonesian citizen; and
 - b. control to Foreigner.
- (3) Immigration control to Indonesian citizen shall be conducted at the time of:
 - a. application of Travel Document of the Republic of Indonesia;
 - b. exit or enter the Indonesian Territory; and
 - c. stay outside of the Indonesian Territory.

(4) Immigration control to Foreigner shall be conducted at the time of:

- a. application of Visa;
- b. enter or exit the Indonesian Territory;
- c. provision of Stay Permit; and
- d. stay and carry out the activities in the Indonesian Territory.

Article 173

Implementation of Immigration control as contemplated in Article 172 shall be conducted by:

- a. Director General, to perform Immigration control at the center;
- b. Head Regional Office of the Ministry of Justice and Human Rights, to perform Immigration control at the province;
- c. Head Immigration Office, to undertake Immigration control at the district/municipality or sub-district; and
- d. A designated Immigration Officer or Foreign Service Officer, to perform Immigration control outside the Indonesian Territory.

Article 174

(1) Immigration control as referred to in Article 172 consists of:

- a. administrative control; and
- b. field control.

(2) Field control as contemplated in clause (1) letter b can be open and/or closed control.

Paragraph 2

Immigration control to Indonesian citizen

Article 175

(1) Administrative control to Indonesian citizen shall be conducted by:

a. collection, processing, and presentation of data and information concerning:

- 1. Immigration service to Indonesian citizen;
- 2. filing an application of Travel Document of the Republic of Indonesia undertaken by Indonesian citizen; and
- 3. traffic of Indonesian citizen that enters or exits the Indonesian Territory.

- b. compilation of name list of Indonesian citizen affected to prevention of exit the Indonesian Territory; and
 - c. photo taking and finger print.
- (2) Results of administrative control as contemplated in clause (1) shall constitute Immigration data conducted through Management Information System of Immigration.
- (3) Data and information contained in Management Information System of Immigration as contemplated in clause (2) must be able to be accessed by relevant institution and/or government agency pursuant to its respective tasks and functions.

Article 176

- (1) Field control to Indonesian citizen can be undertaken by:
- a. seeking and obtaining information about the presence of Indonesian citizen residing outside the Indonesian Territory;
 - b. conduct interviews at the time of applying for Travel Document of the Republic of Indonesia; or

- c. perform coordination with the local government through the Chief Representative of the Republic of Indonesia to monitor the presence of Indonesian citizen outside the Indonesian Territory.
- (2) Field control as contemplated in clause (1) can be periodically performed or at any time when required.

Article 177

Immigration control to Indonesian citizen who applies for Travel Document of the Republic of Indonesia as referred to in Article 172 clause (3) letter a shall be undertaken since the process of filing an application through the Travel Document Republic of Indonesia is used.

Article 178

Immigration control to Indonesian citizen who exits or enters the Indonesian Territory as contemplated in Article 172 clause (3) letter b shall be undertaken at:

- a. Immigration Checkpoints; or
- b. location that is not Immigration Checkpoints served as location for Immigration check under approval of the Director General.

Article 179

- (1) Immigration control to Indonesian citizen who residing outside the Indonesian Territory as referred to in Article 172 clause (3) letter c shall be undertaken by an Immigration Officer at the Representative of the Republic of Indonesia.

- (2) In the event that at the Representative of the Republic of Indonesia has no any Immigration Officer as contemplated in clause (1), Immigration control shall be performed by Foreign Service Officer who has obtained the knowledge through training in Immigration.

Paragraph 3

Immigration Control to Foreigner in the Indonesian Territory

Article 180

- (1) Administrative control to Foreigner shall be undertaken by:
 - a. collection, processing, and presentation of data and information about:
 1. Immigration service to Foreigner;

2. traffic of Foreigner who enters or exits the Indonesian Territory;
3. Foreigner who has obtained decision of detention;
4. Foreigner who is under process of determining the status of Immigration and/or Immigration enforcement;
5. Foreigner who obtains a permit to stay outside the Immigration Detention after term of detention is exceeded; and
6. Foreigner is under the process of criminal justice.

- b. Compilation of the Foreigner name list who is affected to Deterrence or Prevention; and
- c. Photo taking and finger print.

(2) Results of administrative control as contemplated in clause (1) shall constitute Immigration data undertaken through the Management Information System of Immigration.

(3) Data and information contained in the Management Information System of Immigration as contemplated in clause (2) must be able to be accessed by relevant institution and/or government agency pursuant to its tasks and functions.

Article 181

Field control to Foreigner can be conducted by:

c. control to presence and activities of such Foreigner in the Indonesian Territory, includes a check of:

1. presence of Foreigner;
2. activities of Foreigner; and
3. completion of Travel Document or Stay Permit owned.

d. carry out other activities that may be legally accountable, in the form of:

1. perform Immigration authority in accordance with the provision of laws and regulations; and
2. perform coordination between relevant institution and/or government agency and Immigration control.

Article 182

(1) Immigration Officer or other designated officer in performing field control as referred to in Article 181

shall obtain written instruction signed by the competent Immigration Officer.

(2) In specific state an Immigration Officer or other designated officer may undertake field control without being furnished by written instruction as contemplated in clause (1).

(3) Immigration Officer or other designated officer as contemplated in clause (2) within the maximum period of 1 (one) day after performing such control must report to the competent authority for approval.

Article 183

Immigration control to Foreigner who submits an application of Visa as referred to in Article 172 clause (4) letter a shall be made since the process of filing such application through that Visa is used making a travel to the Indonesian Territory.

Article 184

Immigration control to Foreigner who enters or exits the Indonesian Territory as referred to in Article 172 clause (4) letter b shall be performed at:

a. Immigration Checkpoints; or

- b. location that is not Immigration Checkpoints served as location for Immigration check under approval of the Director General,

Article 185

Immigration control to Foreigner who files an application of Stay Permit or who stays and carries out activities in the Indonesian Territory as referred to in Article 172 clause (4) letter c dan letter d may be conducted by administrative control and field control referred to in Article 180 and Article 181.

Article 186

(1) Control to Foreigner who holds Travel Document in the interest of diplomatic duties and Travel Document in the interest of non-official diplomatic duties shall be coordinated by the Ministry of Foreign Affairs.

(2) Ministry of Foreign Affairs shall submit data and information to the Minister concerning:

- a. Foreigner data who is granted a Diplomatic Stay Permit and a Service Stay Permit;

- b. Valid period of a Stay Permit granted;
 - c. Foreigner domicile of a Diplomatic Stay Permit and a Service Stay Permit holder; and
 - d. changes in identity and/or family, civil status, occupation, or changes in Foreigner address.
- (3) Submission of data dan information as contemplated in clause (2) shall be undertaken through the Management Information System of Immigration.

Article 187

- (1) Immigration Officer who is in duties may request information from any person who provides the Foreigner opportunity to stay concerning data of the Foreigner concerned.
- (2) The owner or manager of inn is required to provide data about Foreigner who is staying at the inn if requested by the Immigration Officer on duty.

Article 188

- (1) Data about Foreigner who is staying as referred to in Article 187 shall at least, contain as follows:

- a. Full name;
- b. Place and date of birth;
- c. Sex;
- d. Phone number;
- e. nationality; and
- f. passport number.

(2) Data as contemplated in clause (1) must be submitted to Immigration Officer in the interest of Immigration control.

Article 189

- (1) Immigration control, in addition to be conducted to Indonesian citizen and Foreigner as referred to in Article 172 clause (2), shall also be undertaken to the Guarantor.
- (2) Immigration control to Guarantor as contemplated in clause (1), shall only be undertaken to Guarantor from Foreigner who holds a limited Stay Permit or a Permanent Stay Permit.

Article 190

Immigration control to Guarantor in Corporation form shall be undertaken to obtain the following authenticity, about:

- a. document required in accordance with the provision of laws and regulations;
- b. presence and activities of such Foreigner;
- c. domicile of such Corporation; and
- d. willingness to be responsible for the presence and activities of Foreigner and repatriation to the country of origin if the Foreigner violates laws and regulations.

Article 191

Immigration control to Guarantor who is not Corporation shall be undertaken to obtain the following authenticity, about:

- a. document required in accordance with the provision of laws and regulations;
- b. willingness to be responsible for the presence and activities of Foreigner and repatriation to the country of origin if the Foreigner violates laws and regulations.

Article 192

In performing the Immigration control, every Guarantor is required to report concerning:

- a. every change about identity and/or family of such Foreigner guaranteed by him/her; and/or

b. every change of civil status, citizenship, occupation, or change in address of Foreigner guaranteed by him/her

to Head Immigration Office or local Immigration Officer whose service area is in scope of the Foreigner residence, workplace, and/or domicile.

Article 193

Further provision concerning procedures of Immigration control shall be set forth by Regulation of The Minister.

Paragraph 4

Foreigner Control Team

Article 194

To undertake the coordinated Immigration control to the activities of Foreigner in the Indonesian Territory, the Minister shall form the Foreigner control team.

Article 195

(1) The Foreigner control team as referred to in Article 194 shall be formed at centre and local level in the province, district/municipality, or sub-district.

- (2) The Foreigner control team as contemplated in clause (1) shall consist of member the representative from institution and/or government agency both in the center and in the local level.

Article 196

Foreigner control team as contemplated in Article 194, shall consist of:

- a. Foreigner control team at central level; and
- b. Foreigner control tema at local level:
 - 1. Foreigner control team at province level; and
 - 2. Foreigner control team at district/municipality and sub-district level.

Article 197

- (1) Foreigner control team at central level shall be formed by Decree of the Minister.
- (2) Foreigner control team at central level as contemplated in clause (1) shall be chaired by the Minister or a designated Immigration Officer.

Article 198

(1) Foreigner control team at provincial level shall be formed by Decree of Head Regional Office of the Ministry of Justice and Human Rights.

(2) Foreigner control team at provincial level as contemplated in clause (1) shall be chaired by Head Immigration Division, Regional Office of the Ministry of Justice and Human Rights.

Article 199

(1) Foreigner control team at district/municipality and sub-district level shall be formed by Decree of Head Immigration Office.

(2) Foreigner control team at district/municipality and sub-district level as contemplated in clause (1) shall be chaired by Head Immigration Office.

Article 200

(1) Foreigner control team shall have duties to provide advice and consideration to relevant institution and/or

government agency, concerning matters relating to control of the Foreigner.

(2) In addition to provide advice and consideration as contemplated in clause (1), such Foreigner control team may also undertake joint operation when required.

(3) Joint operation as contemplated in clause (2) can be of:

- a. Special joint operation; or
- b. Incidental joint operation.

(4) Joint operation as contemplated in clause (3) shall be undertaken under operational plan.

(5) In the event that such Foreigner control team finds out any criminal offenses in joint operation then such offenses shall be submitted to relevant government agency or institution pursuant to their respective authority.

Article 201

Further provision concerning Foreigner control team shall be set forth by Regulation of the Minister.

Section Two

Immigration Intelligence

Article 202

- (1) Immigration Officer shall undertake the functions of Immigration Intelligence.

- (2) In the interest of implementing the function of Immigration Intelligence, an Immigration Officer shall undertake an Immigration investigation and Immigration security and shall be authorized to:
 - a. obtain information from the public or government institution;
 - b. come to places or buildings suspected to find data and information about the presence and activities of such Foreigner;
 - c. undertake Immigration Intelligence operation; or
 - d. undertake data and information security of Immigration and the security of implementing the tasks of Immigration.

Article 203

In implementing the functions of Immigration Intelligence as referred to in Article 202, an Immigration Officer may cooperate with related institution.

Article 204

- (1) Based on results of Immigration Intelligence functions implemented as referred to in Article 202, an Immigration Intelligence product is prepared.
- (2) Product of Immigration Intelligence as contemplated in clause (1) shall be used as input in implementing the Immigration control.

Article 205

The Minister shall stipulate any technical procedures for the implementation of Immigration Intelligence functions.

Section Three

Immigration Detention Center and Immigration Detention Room

Paragraph 1

Status

Article 206

- (1) The Minister may establish any Immigration Detention Center in the capital of a country, province, and district/municipality.
- (2) Detention Center shall be headed by Head Detention Center who is appointed and dismissed by the Minister.
- (3) Establishment of any Immigration Detention Center as contemplated in clause (1) shall be stipulated by Decree of the Minister.

Article 207

Immigration Detention Room shall be in the form of a certain room that constitutes part from office of the Directorate General, Immigration Office, or Immigration Checkpoints.

Paragraph 2

Authority for Detainee Placement and Discharge

Article 208

- (1) Immigration Officer is authorized to place the Foreigner into Immigration Detention Room in case of such Foreigner:
 - a. stays in the Indonesian Territory without having a legal Stay Permit or having no longer valid Stay Permit;

- b. stays in the Indonesian Territory without having a legal Travel Document;
- c. imposed Immigration Administrative Action such as cancellation of Stay Permit for perpetrating any act contraries with the provision of laws and regulations or interfere security and public order;
- d. waiting for execution of Deportation; or
- e. waiting for departure outside the Indonesian Territory because of provision of an Entry Stamp is rejected.

(2) Placement of Foreigner in Immigration Detention Room as contemplated in clause (1) shall be for the maximum period of 30 (thirty) days.

(3) In the event that period as contemplated in clause (2) is exceeded then such Foreigner can be placed to Immigration Detention Center.

Article 209

Immigration Officer is authorized to place the Foreigner into an Immigration Detention Center in the event that:

- a. stays in the Indonesian Territory without having a legal Stay Permit or having no longer valid Stay Permit;

- b. stays in the Indonesian Territory without having a legal Travel Document;
- c. imposed Immigration Administrative Action such as cancellation of Stay Permit for perpetrating any act contraries with the provision of laws and regulations or interfere security and public order;
- d. waiting for execution of Deportation; or
- e. removal from Immigration Detention Room.

Article 210

(1) In specific condition such Foreigner can be directly placed into Immigration Detention Center.

(2) Specific condition as contemplated in clause (1), includes:

- a. Over-capacity of such Foreigner placement at Immigration Detention Room; or
- b. Principle of effectiveness and efficiency for placement since earlier in the Immigration Detention Center.

Article 211

In addition to have authority for Foreigner placement as referred to in Article 208 clause (1) and Article 209, Immigration Officer is also authorized to place a person in Detention Center or Immigration Detention Room any doubt is found to his/her nationality status when entering the Indonesian Territory.

Article 212

- (1) Placement of Foreigner in Immigration Detention Center or Immigration Detention Room shall be undertaken according to Decree in writing from the Minister or a designated Immigration Officer.
- (2) Decree in writing as contemplated in clause (1) must be submitted to Foreigner who will be placed into an Immigration Detention Center or Immigration Detention Room.
- (3) Decree in writing as contemplated in clause (1) shall at least contain the following:
 - a. Data of the Foreigner who is affected to detention;
 - b. Reason to undertaken any detention; and
 - c. Location of detention.

- (4) Copy of Decree in writing as contemplated in clause (2) shall be submitted to the Guarantor, family, and/or his/her country representative.

Article 213

- (1) Immigration Officer may place the Foreigner elsewhere other than in Immigration Detention Center or Immigration Detention Room in case of such Foreigner:

- a. ill;
- b. will give birth; or
- c. still children.

- (2) Placement of the Foreigner elsewhere as contemplated in clause (1) shall be executed after obtaining approval from the Director General.

Article 214

- (1) Detention to Foreigner shall be executed until such Detainee has been deported.
- (2) In the event that Deportation as contemplated in clause (1) has not been executed, such detention can be executed within the maximum period of 10 (ten) years.

Article 215

- (1) The Minister or a designated Immigration Officer may discharge a Detainee from Immigration Detention Center or Immigration Detention Room.
- (2) Discharge of a Detainee from Immigration Detention Center or Immigration Detention Room as contemplated in clause (1) shall be undertaken based on the Decree of the Minister or a designated Immigration Officer.
- (3) Decree of discharge to a Detainee as contemplated in clause (2) shall be submitted to such Detainee who will be discharge from Immigration Detention Center atau Immigration Detention Room.
- (4) Copy of Decree in writing as contemplated in clause (2) shall be submitted to the Guarantor, family, and/or his/her country representative.

Article 216

Discharge of Detainee as referred to in Article 215 clause (1) shall be executed in case of:

- a. period of detention as referred to in Article 214 clause (2) has been exceeded;
- b. deportation of Detainee is executed;
- c. removal of Detainee is executed; or
- d. temporary discharge of Detainee is executed.

Article 217

Removal of Detainee shall include the following removal:

- a. from Immigration Detention Room to Immigration Detention Center;
- b. between Immigration Detention Center;
- c. from Immigration Detention Center to other location;
- d. from other location to Immigration Detention Center; or
- e. from one location to another.

Article 218

- (1) Temporary discharge of a Detainee may be undertaken for:
 - a. Family Detainee;
 - b. Sick Detainee; or
 - c. Detainee who will give birth.

- (2) Temporary discharge for Family Detainee shall be executed by Head Immigration Detention Center or Head Immigration Office after obtaining approval from the Director General.
- (3) Temporary discharge for sick Detainee or that will give birth shall be executed by Head Immigration Detention Center or Head Immigration Office.
- (4) Head Immigration Detention Center or Head Immigration Office must report the execution of temporary discharge for a Detainee to the Director General of Head Regional Office of the Ministry of Justice and Human Rights.

Article 219

Placement and discharge of Detainee shall be made under an official report.

Paragraph 3

Permit to Stay Outside the Immigration Detention Center

Article 220

- (1) The Minister or a designated Immigration Officer may provide any permit to stay outside the Immigration Detention Center to a Detainee in case of the period of Detention as referred to in Article 214 clause (2) is exceeded.

(2) The Minister or a designated Immigration Officer as contemplated in clause (1), in the period of providing the permit to stay outside the Immigration Detention Center shall remain to make effort of Detainee deportation.

Article 221

(1) Detainee who obtains a permit to stay outside the Immigration Detention Center must report:

- a. his/her presence periodically every 1 (one) month; and
- b. each change in:
 1. civil status;
 2. occupation; or
 3. change of address.

(2) Reporting as contemplated in clause (1) shall be submitted to Head Immigration Detention Center or a designated Immigration Officer.

(3) In the event that such Detainee as contemplated in clause (1) stays outside the service area of Immigration Detention Center, such reporting can be submitted to Head Immigration Office or local Immigration Detention Center.

Article 222

- (1) The Minister or Immigration Officer can revoke a permit to stay outside the Immigration Detention Center to a Detainee who does not comply with his/her obligations as referred to in Article 221 clause (1).
- (2) Revocation of a permit to stay outside the Immigration Detention Center to a Detainee as contemplated in clause (1) shall apply for the maximum period 6 (six) months.
- (3) During a permit to stay outside the Immigration Detention Center is revoked, such Detainee must be placed again in the Immigration Detention Center.

Section Four

Handling to Victims of Trafficking in Persons and Human Smuggling

Article 223

- (1) Victim of Trafficking in Persons and Human Smuggling that are in Indonesian Territory shall be placed into Immigration Detention Center or other specified locations.

(2) Victim of Trafficking in Persons and Human Smuggling as contemplated in clause (1) shall obtain different special treatment from Detainee in general.

(3) Other location as contemplated in clause (1) shall be determined by the Minister that in implementation can be undertaken by the Director General or a designated Immigration Officer.

Article 224

(1) The Minister atau A designated Immigration Officer mengupayakan agar korban perdagangan orang dan Penyelundupan Manusia segera dikembalikan ke negara asal.

(2) The Minister or the designated Immigration Officer may issue the Travel Document as Passport for the victims of Trafficking in Persons and Human Smuggling who have no Travel Document.

Article 225

To the victims of Trafficking in Persons and Human Smuggling are not applied to the provision of Immigration Administrative Action.

CHAPTER VII

PREVENTION AND DETERRENCE IMPLEMENTATION

Section One

Prevention Implementation

Article 226

- (1) The Minister shall have authority and responsibility to make any Prevention concerning Immigration affairs.

- (2) The Minister shall undertake such Prevention under:
 - a. results of Immigration control and decision of Immigration Administrative Action;
 - b. decision of the Minister of Finance and Keuangan dan Attorney General pursuant to their respective tasks and the provision of laws and regulations;
 - c. request of Chief National Police of the Republic of Indonesia in accordance with the provision of laws and regulations;
 - d. instruction of Chief Corruption Eradication Commission pursuant to the provision of laws and regulations;
 - e. request from Head National Narcotics Agency in accordance with the provision of laws and regulations;and/or

f. decision, instruction, or request of head of the Ministry/other agency where under laws has Prevention authority.

(3) The Minister of Finance, Attorney General, Chief of National Police of the Republic of Indonesia, Chief of Corruption Eradication Commission, Head National Narcotics Agency, or head of the Ministry/agency that has Prevention authority as contemplated in clause (2) letter f shall be responsible for decision, request, and instruction Prevention made.

Article 227

(1) Decision, request, and instruction of Prevention as referred to in Article 226 clause (2) shall be stipulated by Decree in writing by the competent authority.

(2) Decision in writing by the competent authority as contemplated in clause (1) shall be submitted to the Minister within no later than 3 (three) days since date of decision issued by request to be executed.

Article 228

- (1) In urgent circumstance the competent authority as referred to in Article 226 clause (2) may request directly to the Immigration Officer to perform specific Prevention.
- (2) Specific Immigration Officer as contemplated in clause (1) is Immigration Officer at Immigration Checkpoints or technical implementing unit that oversees the Immigration Checkpoints.
- (3) Immigration Officer after receiving direct request from the competent authority as contemplated in clause (1) shall immediately implement the Prevention.
- (4) In the event that the competent authority as referred to in Article 226 clause (2) is not present, decision, request, or instruction of Prevention can be undertaken by a designated officer.
- (5) The competent authority as contemplated in clause (1) a designated officer as contemplated in clause (4) are required to submit their Decree in writing to the Minister within the maximum period of 20 (twenty) days as of direct request is submitted.

(6) In the event that within the period as contemplated in clause (5) no written decree from the competent authority or from a designated officer, then such Prevention shall expire by law.

Article 229

Decision of Prevention issued by the competent authority as referred to in Article 226 clause (2) or a designated officer as referred to in Article 228 clause (4) shall be submitted to the domicile address of the person subject to the Prevention, family, or country representative in the location the person stays are no later than 7 (seven) days from the date of the decree stipulated.

Article 230

(1) The Minister or a designated Immigration Officer in the first instance must include the identity of a person affected to decree of Prevention into a list of Prevention through Management Information System of Immigration.

(2) Identity of a person affected to decree of Prevention as contemplated in clause (1) shall at least contain:

a. name;

- b. sex;
 - c. place and date of birth or age; and
 - d. photo.
- (3) In the event that address, citizenship, and occupation of a person affected to decree of Prevention is known, such matter shall be included as part of identity.
- (4) List of Preventions as contemplated in clause (1) shall be submitted to the Minister of Foreign Affairs, Head Representative of the Republic of Indonesia, and Head Immigration Office through Management Information System of Immigration.

Article 231

- (1) The Minister or a designated Immigration Officer is required to revoke an ordinary Passport and Travel Document as Passport in the event that the holder included in the List of Prevention.
- (2) In the event that an Indonesian citizen who is affected to Prevention has a Diplomatic Passport or official Passport, the Minister of Foreign Affairs or a designated officer is required to revoke a Diplomatic Passport or a service

Passport of a person whose name included in the list of Prevention referred to in Article 230 clause (1).

- (3) Revocation of Passport and Travel Document as Passport as contemplated in clause (1) and clause (2) shall be conducted in accordance with the provision of laws and regulations.

Article 232

- (1) Renewal of the period of Prevention shall be stipulated by decree in writing by the competent authority who issues the Decree of Preventions as referred to in Article 226 clause (2).
- (2) Decree of renewal to the period of Prevention as contemplated in clause (1) shall be submitted to the Minister within no later than 3 (three) days prior to the period of Prevention terminates.
- (3) In the event that no decree of renewal to the period of Prevention is submitted by the competent authority until deadline of Prevention is exceeded, such Prevention shall expire by law.

Section Two

Deterrence Implementation

Article 233

The Minister shall have authority to undertaken Deterrence.

Article 234

The competent authority may request to the Minister in order to undertaken such Deterrence.

Article 235

- (1) Request Deterrence as referred to in Article 234 shall be submitted in writing to the Minister pursuant to the provision of laws and regulations.
- (2) Request as contemplated in clause (1) shall at least contain:
 - a. name, sex, place and date of birth or age, and photo affected to Deterrence;
 - b. reason of Deterrence; and
 - c. period of Deterrence.
- (3) The Minister may reject the request of Deterrence in case of such request of Deterrence complies with no provisions as contemplated in clause (2).

Article 236

(1) Deterrence as referred to in Article 234 shall be undertaken under Immigration reason.

(2) Reason of Immigration as contemplated in clause (1) among others:

a. is known or suspected to be involved in organized transnational crime;

b. show hostility to the Government of Indonesia or perform act that defame the nation and state of Indonesia;

c. suspected of committing act against the security and public order, morality, religion, and custom of the people of Indonesia;

d. use false or forged passport to obtain a Visa or Permit to enter and Stay in the Indonesian Territory; and/or

e. affected to Immigration Administrative Action in Deportation form from the Indonesian Territory.

(3) In addition to under reason of Immigration as contemplated in clause (2), Deterrence can also be undertaken pursuant to:

- a. request of the Representative of the Republic of Indonesia submitted through the Minister of Foreign Affairs;
- b. request of other negara in order that such Foreigner does not attempt to avoid from threat of sentence execution in such country; and/or
- c. request if International Court of Justice because such Foreigner undertakes the humanity crime or organized transnational crime

Article 237

- (1) The Minister or a designated Immigration Officer in the first instance must include the identity of a person affected to decree of Deterrence into a list of Deterrence through Management Information System of Immigration.
- (2) Identity of a person affected to decree of Deterrence as contemplated in clause (1) shall at least contain:
 - a. name;
 - b. sex;
 - c. place and date of birth or age; and
 - d. photo.

- (3) In the event that alamat dan kewarganegaraan orang yang dikenai keputusan Deterrence diketahui maka alamat dan kewarganegaraan orang tersebut harus dicantumkan sebagai bagian from identitas.
- (4) List of Deterrence as contemplated in clause (1) shall be submitted to the Minister of Foreign Affairs, Head Representative of the Republic of Indonesia, and Head Immigration Office through Management Information System of Immigration.

Article 238

- (1) The competent authority as referred to in Article 234 may submit the request of renewal to the period of Deterrence to the Minister within no later than 3 (three) days prior to the period of Deterrence terminates.
- (2) Renewal to the period of Deterrence shall stipulated by the Minister by Decree in writing.
- (3) Decree of renewal to the period of Deterrence as contemplated in clause (2) shall be submitted to the competent authority within the maximum period of 7 (seven) days upon being stipulated.

- (4) In the event that no request of renewal to the period of Deterrence is submitted until the deadline as contemplated in clause (1), such Deterrence shall expire by law.

Section Three

Expiration of Prevention or Deterrence

Paragraph 1

Expiration of Prevention

Article 239

Prevention expires for the reason of:

- a. stipulated term has expired;
- b. revoked under decree in writing by the Minister or the competent authority who stipulates the Prevention;
- c. revoked by the officer who stipulates Prevention under Decision of State Administration Court that has a permanent legal force;
- d. under court decision that has a permanent legal force stating free upon case that is being any reason of Prevention.

Article 240

- (1) In the event that Prevention expires under any reason as referred to in Article 239 letter b dan letter c, revocation

of Prevention shall be declared in the form of decree revocation.

(2) Decree of revocation as contemplated in clause (1) shall be submitted to the Minister or a designated Immigration Officer within no later than 3 (three) days since enactment date of decree.

(3) Decree of Prevention revocation as contemplated in clause (1) shall be submitted to a person affected to Prevention by registered mail within no later than 7 (seven) days since enactment date of decree.

Article 241

In the event that any court decision that has a permanent legal force is found as Referred to in Article 239 letter d, a person who is freely decided must submit a copy of the judgment to the Minister or a designated Immigration Officer.

Article 242

(1) In the event that Prevention berakhir berdasarkan alasan as referred to in Article 239, A designated Immigration Officer pada kesempatan pertama harus mencabut nama orang yang dikenai Prevention from daftar Prevention.

- (2) In the event that any Prevention expires under any reason as referred to in Article 239, a designated Immigration Officer in the first instance shall revoke the person name affected to Prevention from the list of Prevention.
- (3) Revocation of the person name from the list of Prevention as contemplated in clause (1) shall be submitted to the Minister of Foreign Affairs, Head Representative of the Republic of Indonesia, dan Head Immigration Office throughout the Indonesian Territory through Management Information System of Immigration.

Paragraph 2

Expiration of Deterrence

Article 243

Deterrence expires due to:

- a. stipulated term has expired; or
- b. revoked by the Minister.

Article 244

- (1) In the event that Deterrence expires under any reason as referred to in Article 243 letter b, revocation of

Deterrence shall be declared in the form of Decree in writing.

- (2) Decree of Deterrence revocation as contemplated in clause (1) shall be issued by the Minister or a designated Immigration Officer.

Article 245

- (1) In the event that Deterrence terminates under any reason as referred to in Article 243, a designated Immigration Officer shall in the first instance, revoke the person name affected to Deterrence from list of Deterrence.
- (2) Revocation of the person name from the list of Deterrence as contemplated in clause (1), shall be submitted to the Minister of Foreign Affairs, Head Representative of the Republic of Indonesia, dan Head Immigration Office throughout Indonesian Territory through Management Information System of Immigration.

CHAPTER VIII

REQUIREMENTS AND PROCEDURES OF PPN IMMIGRATION APPOINTMENT AND IMMIGRATION INVESTIGATION ADMINISTRATION

Section One

Requirements of Appointment

Article 246

- (1) In order to be appointed as PPNS Keimigrasian the candidate must comply with the requirements in accordance with the provision of laws and regulations.
- (2) The nominee of PPNS Keimigrasian as contemplated in clause (1) must have a status as an Immigration Officer.
- (3) PPNS Keimigrasian as contemplated in clause (1) shall be authorized to serve as an Immigration crime Investigator.

Article 247

Procedures for appointment of PPNS Keimigrasian shall be undertaken in accordance with the provision of laws and regulations.

Section Two

Immigration Investigation Administration

Article 248

In carrying out an investigation of Immigration crime, PPNS Keimigrasian shall carry out an Immigration Investigation Administration.

Article 249

- (1) PPNS Keimigrasian as referred to in Article 248 in carrying out an investigation shall coordinate with the investigator from National Police of the Republic of Indonesia.
- (2) PPNS Keimigrasian as contemplated in clause (1) since earlier of investigation must notify in writing concerning such Immigration crime investigation to the investigator of National Police of the Republic of Indonesia.
- (3) Upon finishing the task of investigation, such PNS Keimigrasian shall submit the case folder to public prosecutor.

Article 250

Immigration Investigation Administration as referred to in Article 248 aims to:

- a. keep orderliness, uniformity, and smooth investigation;
- b. support activities of investigation operations;
- c. evaluate activities of investigations done;
- d. keep control from Chief of investigator; and
- e. make data collection of crime handled.

Article 251

(1) Immigration Investigation Administration as referred to in Article 248 includes:

- a. investigation administration for filing; and
- b. investigation administration not for filing.

(2) Completion of investigation administration for filing shall be conformed to criminal act.

Article 252

Type and format of the completion for Immigration Investigation Administration shall be implemented in accordance with the provision of laws and regulations.

CHAPTER IX

TRANSITIONAL PROVISIONS

Article 253

At the time this Government Regulation shall come into force, then:

- a. Travel Document of the Republic of Indonesia, Visa, and Stay Permit that haven been proposed and have been

processed but have not been finished, shall remain to finish under old laws and regulations yang;

- b. Travel Document of the Republic of Indonesia that has been issued under the Government Regulation Number 36 Years 1994 concerning Travel Document of the Republic of Indonesia shall be declared to remain valid until the valid period expires;
- c. Visa and Stay Permit issued under the Government Regulation Number 32 Years 1994 concerning Visa, Entry Permit and Immigration Permit shall remain valid until the valid period expires; and
- d. Decree of Prevention and Decree of Deterrence that have been issued by the Minister or the competent authority shall be declared to remain valid until the valid period expires.

CHAPTER X

CONCLUDING PROVISIONS

Article 254

Within the maximum period of 5 (five) years as of date this Government Regulation is enacted:

- a. issuance of ordinary Passport of Representative of the Republic of Indonesia;

b. submission of list of Prevention and list of Deterrence to the Minister of Foreign Affairs and Head Representative of the Republic of Indonesia,

shall be made by Management Information System of Immigration.

Article 255

Compilation of Regulation of the Minister or Regulation of the Minister of Foreign Affairs as referred to in Article 22, Article 39 clause (3), Article 44 clause (3), Article 69, Article 70, Article 88, Article 96, Article 97 clause (2), Article 108, Article 115 clause (2), Article 124, Article 132, Article 147, Article 156 clause (2), Article 164, Article 169, Article 171, Article 193, and Article 201 shall coordinate with the relevant Ministries/agencies.

Article 256

At the time of this Government Regulation shall come into force, all laws and regulations that constitute implementation regulation from:

a. Government Regulation Number 30 Years 1994 concerning Procedures of Prevention and Deterrence Implementation (State Gazette of the Republic of Indonesia Years 1994

- Number 53, Supplement to State Gazette of the Republic of Indonesia Number 3561);
- b. Government Regulation Number 31 Years 1994 concerning Foreigner Control and Immigration Action (State Gazette of the Republic of Indonesia Years 1994 Number 54, Supplement to State Gazette of the Republic of Indonesia Number 3562);
 - c. Government Regulation Number 32 Years 1994 concerning Visa, Entry Permit, and Immigration Permit (State Gazette of the Republic of Indonesia Years 1994 Number 55, Supplement to State Gazette of the Republic of Indonesia Number 3563) as has been amended several times, most recently amended by Government Regulation Number 38 Years 2005 concerning Second Amendment to Government Regulation Number 32 Years 1994 concerning Visa, Entry Permit, and Immigration Permit (State Gazette of the Republic of Indonesia Years 2005 Number 95, Supplement to State Gazette of the Republic of Indonesia Number 4541); and
 - d. Government Regulation Number 36 Years 1994 concerning Travel Document of the Republic of Indonesia (State Gazette of the Republic of Indonesia Years 1994 Number 65, Supplement to State Gazette of the Republic of Indonesia Number 3572),

shall be declared to still remain valid to the extent that not contrary with the provision herein.

Article 257

Pada saat Peraturan Pemerintah ini mulai berlaku:

At the time of this Government Regulation shall come into force:

- a. Government Regulation Number 30 Years 1994 concerning Procedures of Prevention and Deterrence Implementation (State Gazette of the Republic of Indonesia Years 1994 Number 53, Supplement to State Gazette of the Republic of Indonesia Number 3561);
- b. Government Regulation Number 31 Years 1994 concerning Foreigner Control and Immigration Action (State Gazette of the Republic of Indonesia Years 1994 Number 54, Supplement to State Gazette of the Republic of Indonesia Number 3562);
- c. Government Regulation Number 32 Years 1994 concerning Visa, Entry Permit, and Immigration Permit (State Gazette of the Republic of Indonesia Years 1994 Number 55, Supplement to State Gazette of the Republic of Indonesia Number 3563) as has been amended several times, most recently amended by Government Regulation Number 38 Years 2005 concerning Second Amendment to Government Regulation Number 32 Years 1994 concerning Visa, Entry Permit, and Immigration Permit (State Gazette of the Republic of Indonesia Years 2005 Number 95, Supplement to State Gazette of the Republic of Indonesia Number 4541);

- d. Government Regulation Number 36 Years 1994 concerning Travel Document of the Republic of Indonesia (State Gazette of the Republic of Indonesia Years 1994 Number 65, Supplement to State Gazette of the Republic of Indonesia Number 3572); and
- e. Presidential Decree Number 31 Years 1998 concerning Facilities for Foreign Elderly Traveler, shall be revoked and declared no longer valid.

Article 258

This Government Regulation shall come into force on the date of enactment.

For every one cognizance, this Government Regulation shall be promulgated by placement in State Gazette of the Republic of Indonesia.

Enacted in: Jakarta
Date : 16 April 2013

PRESIDENT OF THE REPUBLIC OF INDONESIA
sgn

DR. H. SUSILO BAMBANG YUDHOYONO

Promulgated in: Jakarta

Date : 16 April 2013

MINISTER OF JUSTICE AND HUMAN RIGHTS OF

THE REPUBLIC OF INDONESIA,

sgn

AMIR SYAMSUDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEARS 2013 NUMBER

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