

REGULATION OF THE SOCIAL SECURITY AGENCY FOR EMPLOYMENT
NUMBER 1 OF 2023

ON
COOPERATION BETWEEN SOCIAL SECURITY AGENCY
FOR EMPLOYMENT AND *WADAH*

BY THE BLESSINGS OF ALMIGHTY GOD

PRESIDENT DIRECTOR OF THE SECURITY AGENCY FOR EMPLOYMENT,

Considering : a. that the Social Security Agency for Employment cooperates with *Wadah* or specific groups as regulated in Government Regulation Number 85 of 2013 on Procedures for Inter-Institutional Relations of Social Security Agency and Regulation of the Minister of Manpower Number 5 of 2021 on Procedures for Administering Employment Injury Security, Death Security and Old-Age Security Programs, which need to be implemented effectively, efficiently, and accountably;

b. that in order to implement the provisions of Article 12 section (2) of Regulation of the National Social Security Council Number 2 of 2020 on Social Security Professional Mobilization Experts;

c. that based on the considerations as referred to in point a and point b, it is necessary to issue a Regulation of the Social Security Agency for Employment on Cooperation between Social Security Agency for Employment and *Wadah*;

Observing : 1. Law Number 24 of 2011 on Social Security Agency (State Gazette of the Republic of Indonesia of 2011 Number 116, Supplement to the State Gazette of the Republic of Indonesia Number 5256);

2. Government Regulation Number 85 of 2013 on Procedures for Inter-Institutional Relations of Social Security Agency (State Gazette of the Republic of Indonesia of 2013 Number 230, Supplement to the State Gazette of the Republic of Indonesia Number 5473);

3. Regulation of the National Social Security Council Number 2 of 2020 on Social Security Professional Mobilization Experts (State Bulletin of the Republic of Indonesia of 2020 Number 1227);

4. Regulation of the Minister of Manpower Number 5 of 2021 on Procedures for Administering Employment Injury

HAS DECIDED:

To issue : REGULATION OF THE SOCIAL SECURITY AGENCY FOR EMPLOYMENT ON COOPERATION BETWEEN SOCIAL SECURITY AGENCY FOR EMPLOYMENT AND WADAH.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Agency Regulation:

1. Social Security Agency for Employment (*Badan Penyelenggara Jaminan Sosial Ketenagakerjaan*), hereinafter referred to as BPJS Ketenagakerjaan, means a public legal entity established under Law Number 24 of 2011 on Social Security Agency.
2. *Wadah* or specific group, hereinafter referred to as *Wadah*, means an organization or association formed by and for participants who do work outside of an employment relationship.
3. Indonesian Social Security Mobilization (*Penggerak Jaminan Sosial Indonesia*) Agent, hereinafter referred to as *Perisai*, means a person/personal/individual who is a member of the *Wadah*.
4. Contribution means an amount of money paid regularly by a Member to BPJS Ketenagakerjaan.
5. Non-Wage Recipient Member means an individual who runs business activities independently to earn income.
6. Incentives mean compensation given by BPJS Ketenagakerjaan to *Wadah* in the form of money as compensation for work that has been done.

CHAPTER II

DUTIES AND AUTHORITY

Part One

General

Article 2

- (1) BPJS Ketenagakerjaan may cooperate with the *Wadah* to carry out its duties to improve the quality of service to the Members and expand membership in the employment social security programs.
- (2) The *Wadah* as referred to in section (1) consists of:
 - a. *Wadah* that manages the membership registration of its members; and
 - b. *Wadah* that manages the membership registration of its members and non-members.
- (3) The *Wadah* as referred to in section (2) point a carries out cooperation based on a cooperation agreement in accordance with the provisions of legislation.

- (4) The implementation of cooperation with the *Wadah* as referred to in section (2) point b is carried out based on a cooperation agreement between BPJS Ketenagakerjaan and the *Wadah* in accordance with this agency regulation.

Article 3

The *Wadah* as referred to in Article 2 section (2) point b consists of *Perisai* as the members.

Part Two

Authority of BPJS Ketenagakerjaan

Article 4

In carrying out its duties as referred to in Article 2 section (1), BPJS Ketenagakerjaan is authorized to:

- a. issue policies and/or make changes to Regulation of the Board of Directors related to the cooperation of the *Wadah* in BPJS Ketenagakerjaan;
- b. determine certain types of Non-Wage Recipient (BPU) jobs that cannot be managed by the *Wadah* as referred to in Article 3 if there are certain time activities that require participation in social security for employment, there is a cooperation agreement between BPJS and the relevant Ministries/Institutions, membership of which contribution payments are sourced from the central government budget, local government budget, or sourced from Corporate Social Responsibility, and there are other provisions determined by BPJS Ketenagakerjaan for the implementation of this agency regulation;
- c. set targets for the *Wadah* as referred to in Article 3;
- d. deactivate *Perisai* in the event of non-fulfilment of the provisions in the cooperation agreement with the *Wadah* as referred to in Article 3 and notify the *Wadah*; and
- e. conduct supervision on the *Wadah* as referred to in Article 3.

Part Three

Requirements for *Wadah*

Article 5

- (1) The *Wadah* as referred to in Article 3 must meet the following requirements:
 - a. in the form of an agency or organization, with the following provisions:
 1. have a savings account in the name of *Wadah* at a bank that has collaborated with BPJS Ketenagakerjaan; and
 2. have a place to provide services for employment social security programs;
 - b. have a *Perisai* candidate who meets the requirements as a *Perisai* according to the needs of BPJS Ketenagakerjaan;
 - c. have administrators who are registered as active wage recipient Members of BPJS Ketenagakerjaan;
 - d. are not in a management dispute or dispute with other parties;

- e. have a certificate from the local urban village head or rural village head; and
 - f. in the event of a *Wadah* formed by an agency, institution, or organization, it can be exempted from the requirements as referred to in point e.
- (2) The *Wadah* as referred to in section (1) may be in the form of a legal entity or non-legal entity.

Part Four Duties and Authority of *Wadah*

Article 6

- (1) The duties of the *Wadah* as referred to in Article 3 regarding cooperation with BPJS Ketenagakerjaan are as follows:
- a. recruiting *Perisai* candidates;
 - b. ensuring *Perisai* candidates have met the requirements;
 - c. making a cooperation agreement with *Perisai*;
 - d. providing identification cards and assignment letters to *Perisai*;
 - e. facilitating and supporting the improvement of *Perisai*'s capabilities and knowledge;
 - f. implementing the provisions in the cooperation agreement with BPJS Ketenagakerjaan;
 - g. ensuring *Perisai* to implement the provisions in the cooperation agreement between *Wadah* and *Perisai*;
 - h. fostering *Perisai* to improve competence and capability related to knowledge of employment social security programs, as well as management of participation and contributions as per applicable provisions;
 - i. seeking potential data to be followed up by *Perisai*;
 - j. ensuring that dissemination, registration and membership continuity activities are carried out by *Perisai*;
 - k. carrying out the incentive transfer process to *Perisai* every month;
 - l. monitoring and evaluating *Perisai*; and
 - m. reporting the results of *Wadah*'s duty implementation to BPJS Ketenagakerjaan;
- (2) The *Wadah* is authorized to:
- a. terminate cooperation with *Perisai* if *Perisai* is proven not to have implemented the agreement in the cooperation agreement;
 - b. withdraw identification card and assignment letter of *Perisai*; and
 - c. request a report on the implementation of duties from *Perisai*.

Part Five Requirements for *Perisai*

Article 7

- (1) The minimum requirements for *Perisai* candidates as referred to in Article 5 section (1) point b are as follows:

- a. an Indonesian Citizen;
 - b. be at least 18 (eighteen) years old; and
 - c. be registered as a Non-Wage Recipient Member of the employment social security program.
- (2) Requirements other than those as referred to in section (1) are determined by BPJS Ketenagakerjaan.

Part Six
Duties of *Perisai*

Article 8

Perisai has duties to carry out dissemination of the employment social security programs, registration, ensure the continuity of membership for Non-Wage Recipient Members, submit proof of membership, and report the results of the implementation of duties to the *Wadah*.

CHAPTER III
GOVERNANCE OF COOPERATION

Part One
General

Article 9

In implementing the cooperation as referred to in Article 2 section (4), BPJS Ketenagakerjaan carries out governance efforts in the forms of:

- a. training;
- b. incentive provision;
- c. award provision;
- d. supervision; and/or
- e. reporting.

Part Two
Training

Article 10

- (1) BPJS Ketenagakerjaan provides training to *Perisai* through the *Wadah* as referred to in Article 3.
- (2) The training as referred to in section (1) is carried out to improve *Perisai*'s competence and capability related to knowledge of the employment social security programs, cooperation system, and management of membership and contributions.
- (3) The training as referred to in section (2) is carried out by BPJS Ketenagakerjaan according to its financial capacity.
- (4) Training materials in the form of materials for the *Wadah* as referred to in section (1) is aimed to provide training to the *Perisai*.
- (5) In addition to the training as referred to in section (3), *Perisai* can take part in independent certification in accordance with the provisions of legislation.

Part Three
Incentive Provision

Article 11

- (1) BPJS Ketenagakerjaan provides incentives for the performance of the *Wadah* as referred to in Article 3 and the performance of *Perisai* by considering the financial capabilities of BPJS Ketenagakerjaan.
- (2) The incentives as referred to in section (1) consist of:
 - a. incentives for registration and/or incentives for receiving Contributions; and
 - b. incentives for managing *Perisai*.
- (3) The incentives as referred to in section (2) point a are provided to *Perisai* with the provisions stipulated in the cooperation agreement between BPJS Ketenagakerjaan and *Wadah*.
- (4) The incentives as referred to in section (2) point b are given to *Wadah* with the provisions as stipulated in the cooperation agreement between BPJS Ketenagakerjaan and *Wadah*.
- (5) The incentives as referred to in section (1) are subject to tax in accordance with the provisions of legislation.
- (6) The amount and procedure for providing incentives as referred to in section (1) are stated in the cooperation agreement between BPJS Ketenagakerjaan and *Wadah*.
- (7) BPJS Ketenagakerjaan conducts periodic evaluations regarding the amount and procedure for payment of incentives as referred to in section (6) by considering the accountability and optimization of the following aspects:
 - a. interest and continuity to become *Perisai*;
 - b. budget availability; and/or
 - c. other relevant aspects.
- (8) In the event of changes in the amount of incentives and the incentive payment procedures, BPJS Ketenagakerjaan and *Wadah* are required to adjust the cooperation agreement.

Article 12

- (1) The incentives as referred to in Article 11 section (2) are given within a certain period from the date of members acquisition.
- (2) In maintaining the continuity of members, the management of members originating from the *Perisai* acquisition after a certain period as referred to in section (1), the management of members is handed over to BPJS Ketenagakerjaan.

Part Four
Award Provision

Article 13

- (1) BPJS Ketenagakerjaan can provide awards for *Wadah* and/or *Perisai* that achieve certain achievements based on key performance indicators set by BPJS Ketenagakerjaan.

- (2) The awards as referred to in section (1) can be in the forms of:
 - a. money;
 - b. charter; and/or
 - c. other forms as required.
- (3) The awards as referred to in section (1) consider the financial capabilities of BPJS Ketenagakerjaan.

Part Five Supervision

Article 14

The supervision of BPJS Ketenagakerjaan on *Wadah* as referred to in Article 8 is carried out regarding the conformity of activities carried out by the *Wadah* and *Perisai* with the terms and conditions as stated in the cooperation agreement and legislation.

Article 15

- (1) Supervision of *Wadah* on *Perisai* is to ensure that *Perisai* implements the provisions of the cooperation agreement between *Wadah* and *Perisai* as referred to in Article 6 section (1) point g.
- (2) The supervision as referred to in section (1) is carried out on the suitability of *Perisai*'s activities in accordance with the cooperation agreement that has been signed by *Wadah* and *Perisai*.

Article 16

- (1) In the event that the *Wadah* does not implement the agreement as stated in the cooperation agreement between BPJS Ketenagakerjaan and *Wadah*, then BPJS Ketenagakerjaan will follow up:
 - a. through unilateral termination of the cooperation agreement with *Wadah* by BPJS Ketenagakerjaan; and/or
 - b. by requesting compensation for losses incurred by *Wadah* and/or *Perisai*.
- (2) The *Wadah* is responsible for the impact of violations of the agreement in the cooperation agreement carried out by *Perisai*.
- (3) The *Wadah* that have had their cooperation agreement terminated as referred to in section (1) point a cannot cooperate again with BPJS Ketenagakerjaan.
- (4) In the event that the *Wadah* terminates the cooperation agreement as referred to in section (3), *Perisai* may merge with another *Wadah* or form a new *Wadah*.

Article 17

- (1) In the event that *Perisai* does not implement the agreement as stated in the cooperation agreement between *Wadah* and *Perisai*, then the *Wadah* will follow up:
 - a. through termination of the cooperation agreement with *Perisai* by *Wadah*; and/or

- b. by requesting compensation for losses incurred by *Perisai*.
- (2) *Perisai* that has had their cooperation agreement terminated as referred to in section (1) point a, cannot cooperate again with *Wadah*.

Part Six Reporting

Article 18

BPJS Ketenagakerjaan submits the results of management of *Wadah* as part of the program management report in accordance with the provisions of legislation.

CHAPTER IV FINANCING

Article 19

Financing for incentives, awards, and training comes from the BPJS Ketenagakerjaan budget by considering the financial capabilities of BPJS Ketenagakerjaan.

CHAPTER V MISCELLANEOUS PROVISIONS

Article 20

- (1) The cooperation agreement between BPJS Ketenagakerjaan and the *Wadah* at least contains:
 - a. scope of cooperation agreement;
 - b. requirements of *Wadah* and *Perisai*;
 - c. period of cooperation agreement until 31 (thirty first) December of the current year;
 - d. duties and authority of BPJS Ketenagakerjaan and *Wadah*;
 - e. rights and obligations of BPJS Ketenagakerjaan and *Wadah*;
 - f. types of, amounts of, and procedures for payment of incentives;
 - g. prohibitions;
 - h. supervision;
 - i. monitoring and evaluation;
 - j. dispute settlement;
 - k. termination, extension, and addendum of cooperation agreement;
 - l. anti-corruption, anti-bribery and anti-money laundering statements;
 - m. force majeure; and
 - n. transitional provisions stating the agreement to adjust the cooperation agreement if there is a change in policy related to cooperation of *Wadah* and *Perisai*.
- (2) The cooperation agreement between *Wadah* and *Perisai* at least contains:
 - a. scope of the cooperation agreement;
 - b. requirements for *Perisai*;
 - c. period of the cooperation agreement until 31 (thirty first) December of the current year;

- d. duties and authority of the *Wadah* and *Perisai*;
- e. rights and obligations of the *Wadah* and *Perisai*;
- f. types of, amounts of, and procedures for payment of incentives;
- g. prohibitions;
- h. supervision;
- i. monitoring and evaluation;
- j. dispute settlement;
- k. termination, extension, and addendum to cooperation agreements;
- l. anti-corruption, anti-bribery and anti-money laundering statements;
- m. force majeure; and
- n. transitional provisions stating the agreement to adjust the cooperation agreement if there is a change in policy related to cooperation of *Wadah* and *Perisai*.

Article 21

Further provisions related to the selection of *Wadah* candidates, training, target setting, management of membership and contributions, amount of and procedure for payment of incentives, the period for providing incentives, the mechanism for providing and types of awards, management of *Wadah* cooperation, reporting procedures, supervision of the implementation of the *Wadah* and *Perisai* cooperation are determined by the President Director of BPJS Ketenagakerjaan.

CHAPTER VI TRANSITIONAL PROVISIONS

Article 22

The term of *Perisai* Office that existed before this Agency Regulation comes into effect is hereinafter referred to as the *Wadah*.

Article 23

At the time this Agency Regulation comes into force:

- a. cooperation agreement between BPJS Ketenagakerjaan and *Wadah* that is not in accordance with the provisions in this Agency Regulation is required to be adjusted not later than 3 (three) months after this Agency Regulation is promulgated; and
- b. the cooperation agreement between BPJS Ketenagakerjaan and *Wadah* as referred to in point a includes the period of the cooperation agreement which ends on 31 December of the current year and can be extended.

CHAPTER VII CLOSING PROVISIONS

Article 24

The provisions of Regulation of the Board of Directors as referred to in Article 21 must be stipulated not later than 3 (three) months after this Agency Regulation is promulgated.

Article 25

This Agency Regulation comes into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Agency Regulation by its placement in the State Bulletin of the Republic of Indonesia.

Issued in Jakarta
on 29 December 2023

PRESIDENT DIRECTOR OF
THE SOCIAL SECURITY AGENCY FOR
EMPLOYMENT,

signed

ANGGORO EKO CAHYO

Promulgated in Jakarta
on 29 December 2023

DIRECTOR GENERAL OF LEGISLATION
OF THE MINISTRY OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

signed

ASEP N. MULYANA

STATE BULLETIN OF THE REPUBLIC OF INDONESIA OF 2023 NUMBER 1077

Jakarta, 24 December 2024
Has been translated as an Official Translation
on behalf of the Minister of Law
of the Republic of Indonesia
DIRECTOR GENERAL OF LEGISLATION,



DHAHANA PUTRA