

REGULATION OF THE PROVINCE OF EAST JAVA
NUMBER 2 OF 2022
ON
IMPLEMENTATION OF PROTECTION OF INDONESIAN MIGRANT WORKERS

BY THE BLESSINGS OF ALMIGHTY GOD

THE GOVERNOR OF EAST JAVA,

- Considering:
- a. that Indonesian Migrant Workers and their families are entitled to state protection guarantees to obtain security, services, and fulfilment of rights before and after work;
 - b. that Regulation of the Province of East Java Number 4 of 2016 on Placement Services and Protection of Indonesian Workers Abroad is no longer in line with legal developments and needs, and therefore needs to be replaced;
 - c. that based on the considerations as referred to in point a and point b, it is necessary to issue a Regional Regulation on Implementation of Protection of Indonesian Migrant Workers;
- Observing:
1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
 2. Law Number 2 of 1950 on Formation of East Java Province (Collection of State Regulations of 1950), as amended by Law Number 18 of 1950 on Amendment to Law Number 2 of 1950 (Collection of State Regulations of 1950);
 3. Law Number 39 of 1999 on Human Rights (State Gazette of the Republic of Indonesia of 1999 Number 165, Supplement to the State Gazette of the Republic of Indonesia Number 3886);
 4. Law Number 23 of 2002 on Child Protection (State Gazette of the Republic of Indonesia of 2002 Number 109, Supplement

to the State Gazette of the Republic of Indonesia Number 4235), as amended by Law Number 35 of 2014 on Amendment to Law Number 23 of 2002 on Child Protection (State Gazette of the Republic of Indonesia of 2009 Number 297, Supplement to the State Gazette of the Republic of Indonesia Number 5606);

5. Law Number 13 of 2003 on Manpower (State Gazette of the Republic of Indonesia of 2003 Number 39, Supplement to the State Gazette of the Republic of Indonesia Number 4279);
6. Law Number 40 of 2004 on National Social Security System (State Gazette of 2004 Number 150, Supplement to the State Gazette of the Republic of Indonesia Number 4456);
7. Law Number 21 of 2007 on Eradication of Human Trafficking Crimes (State Gazette of the Republic of Indonesia of 2007 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 4720);
8. Law Number 6 of 2011 on Immigration (State Gazette of the Republic of Indonesia of 2011 Number 52, Supplement to the State Gazette of the Republic of Indonesia Number 5216);
9. Law Number 12 of 2011 on Legislation Making (State Gazette of the Republic of Indonesia of 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234), as amended by Law Number 15 of 2019 on Amendment to Law Number 12 of 2011 on Legislation Making (State Gazette of the Republic of Indonesia of 2019 Number 183, Supplement to the State Gazette of the Republic of Indonesia Number 6398);
10. Law Number 6 of 2012 on Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (State Gazette of the Republic of Indonesia of 2012 Number 115, Supplement to the State Gazette of the Republic of Indonesia Number 5314);
11. Law Number 23 of 2014 on Local Governments (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587), as amended several times, last by Law Number 9 of 2015 on the Second Amendment to Law Number

- 23 of 2014 on Local Governments (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);
12. Law Number 18 of 2017 on Protection of Indonesian Migrant Workers (State Gazette of the Republic of Indonesia of 2017 Number 242, Supplement to the State Gazette of the Republic of Indonesia Number 6141);
 13. Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia of 2020 Number 245, Supplement to the State Gazette of the Republic of Indonesia Number 6573);
 14. Government Regulation Number 31 of 2006 on National Job Training System (State Gazette of the Republic of Indonesia of 2016 Number 67, Supplement to the State Gazette of the Republic of Indonesia Number 4637);
 15. Government Regulation Number 28 of 2018 on Regional Cooperation (State Gazette of the Republic of Indonesia of 2018 Number 97, Supplement to the State Gazette of the Republic of Indonesia Number 6219);
 16. Government Regulation Number 10 of 2020 on Placement Procedure of Indonesian Migrant Workers by the Indonesian Migrant Workers Protection Agency (State Gazette of the Republic of Indonesia of 2020 Number 37, Supplement to the State Gazette of the Republic of Indonesia Number 6463);
 17. Government Regulation Number 5 of 2021 on Risk-Based Business Licensing Implementation (State Gazette of the Republic of Indonesia of 2021 Number 15, Supplement to the State Gazette of the Republic of Indonesia Number 6617);
 18. Government Regulation Number 59 of 2021 on Implementation of Protection of Indonesian Migrant Workers (State Gazette of the Republic of Indonesia of 2021 Number 94, Supplement to the State Gazette of the Republic of Indonesia Number 6678);
 19. Presidential Regulation Number 90 of 2019 on Indonesian Migrant Workers Protection Board (State Gazette of the Republic of Indonesia of 2019 Number 263);
 20. Regulation of the Province of East Java Number 16 of 2012 on Implementation of Protection for Women and Children

Victims of Violence (Regional Gazette of the Province of East Java of 2013 Number 3 Series D, Supplement to the Regional Gazette of the Province of East Java Number 23);

21. Regulation of the Province of East Java Number 2 of 2014 on System of Implementation of Child Protection (Regional Gazette of the Province of East Java of 2014 Number 2 Series D, Supplement to the Regional Gazette of the Province of East Java Number 38);

With the Joint Approval of

THE REGIONAL HOUSE OF REPRESENTATIVES OF THE PROVINCE OF
EAST JAVA

and

THE GOVERNOR OF EAST JAVA

HAS DECIDED:

To Issue: REGIONAL REGULATION ON IMPLEMENTATION OF
PROTECTION OF INDONESIAN MIGRANT WORKERS.

CHAPTER 1

GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Government means Central Government.
2. Region means the Province of East Java.
3. Provincial Government means the Local Government of the Province of East Java.
4. Governor means the Governor of East Java.
5. Regency/Municipal Government means the Regency/Municipal Government of in the Province of East Java.
6. Provincial Office means a regional apparatus in the Government of the Province of East Java administering government affairs in the field of manpower.

7. Regency/Municipal Office means a regional apparatus in the regencies/municipalities in East Java administering government affairs in the field of manpower.
8. Protection of Indonesian Migrant Workers means any effort to protect the interest of Prospective Indonesian Migrant Worker and/or Indonesian Migrant Worker and their families in order to ensure the fulfilment of them rights in all activities before, during, and after working in legal, economic, and social aspects.
9. Indonesian Migrant Worker means any Indonesian migrant worker originating from the Region who will, is currently, or has performed work for wages outside the territory of the Republic of Indonesia.
10. Family of Indonesian Migrant Worker means the husband, wife, children, or parents of worker including the relationship due to court's ruling and/or verdict, both the ones who live in Indonesia and the ones who live with Indonesian Migrant Worker abroad.
11. Troubled Indonesian Migrant Worker means an Indonesian Migrant Worker facing problems or disasters that occur both domestically and abroad.
12. Individual Indonesian Migrant Worker means an Indonesian Migrant Worker who will work abroad without going through placement operator.
13. Nonprocedural Indonesian Migrant Worker means an Indonesian Migrant Worker who works abroad without meeting the requirements document and procedures stipulated in the legislation.
14. Before Working Protection means the overall activities to give protection since the registration until the departure.
15. Prospective Indonesian Migrant Worker means any Indonesian worker originating from the Region who fulfils the criteria as a job seeker who will work abroad and is registered in regency/municipal government institution responsible for manpower affairs.
16. After Working Protection means the entire activities to give protection since Indonesian Migrant Workers and the

members of their family arrive at debarkation in Indonesia until they return to their hometowns, including the follow through service to be productive workers.

17. Training Institution (*Lembaga Pelatihan Kerja*), abbreviated as LPK, means a government institution or legal entity that meets the requirements to conduct job training.
18. Debarkation means the arrival point for Indonesian Migrant Workers returning from abroad, whether through airports, seaports, or border checkpoints.
19. Shelter means a temporary place suitable for accommodating Nonprocedural Indonesian Migrant Workers while waiting for the repatriation process or referral to other institutions/agencies.
20. Social Security means one of the social protection forms to ensure that all citizens can fulfil their decent basic needs.
21. Social Security Agency (*Badan Penyelenggara Jaminan Sosial*) hereinafter abbreviated to BPJS, means a public legal entity was established by Law Number 24 of 2011 on Social Security Agency.
22. Pre-Departure Orientation (*Orientasi Pra Pemberangkatan*), hereinafter abbreviated to OPP, means the activity of briefing and disseminating information to prospective Indonesian Migrant Workers who will go to work abroad so that Indonesian Migrant Workers will have mental and knowledge readiness to work abroad, understand their rights and obligations and be able to overcome problems that will possibly be faced.
23. One-Stop Integrated Service for Placement and Protection of Indonesian Migrant Workers (*Layanan Terpadu Satu Atap Penempatan dan Perlindungan Pekerja Migran Indonesia*), hereinafter referred to as LTSA for Indonesian Migrant Workers, means a service system for information dissemination, fulfilling requirements, and dealing with issues of Indonesian Migrant Workers integrated in public services that are cheap, easy and fast without any discrimination.

24. Indonesian Migrant Worker Placement Company (*Perusahaan Penempatan Pekerja Migran Indonesia*) hereinafter referred to as P3MI, means a limited liability legal entity that has obtained written permission from the Minister administering government affairs in the field of manpower to provide placement services for Indonesian Migrant Workers.
25. Business Partner means an institution and/or business entity that is legally incorporated in the destination country that is responsible to place Indonesian Migrant Workers to employers.
26. Employer means government institutions, government legal entities, private legal entities, and/or Individuals in the destination country that employs Indonesian Migrant Workers.
27. Any Person means any individual and/or corporations, including both legal and non-legal entities.
28. Labour Inspection means an activity of monitoring and enforcing the implementation of legislation in the field of manpower.
29. Labour Inspector, hereinafter referred to as Labour Inspector, means a Civil Servant appointed and assigned to the functional position of Labour Inspector to supervise/inspect and enforce the implementation of legislation in the field of manpower.
30. Local Budget (*Anggaran Pendapatan dan Belanja Daerah*) hereinafter abbreviated to APBD, means the budget for Revenue and Expenditure of the Province of East Java.

Article 2

This Regional Regulation is intended as a legal basis and guideline for the Protection of Indonesian Migrant Workers.

Article 3

This Regional Regulation aims to:

- a. guarantee the fulfilment of the rights of Indonesian Migrant Workers and their Families before and after work;

- b. guarantee the availability of human resources, facilities and infrastructure, as well as the budget in the implementation of the Protection of Indonesian Migrant Workers; and
- c. strengthen the institutional implementation of the Protection of Indonesian Migrant Workers.

Article 4

The scope of this Regional Regulation consists of:

- a. duties and responsibilities of the Provincial Government;
- b. rights and obligations of Indonesian Migrant Workers;
- c. implementation of the Protection of Indonesian Migrant Workers;
- d. Individual Indonesian Migrant Workers;
- e. institutional services for Indonesian Migrant Workers;
- f. establishment of Branch Offices of P3MI;
- g. legal, social, and economic protection of Indonesian Migrant Workers;
- h. Social Security;
- i. information system;
- j. coordination and cooperation;
- k. public participation;
- l. guidance and supervision;
- m. dispute resolution;
- n. administrative sanctions;
- o. investigation provisions;
- p. criminal provisions;
- q. financing.

CHAPTER II

DUTIES AND RESPONSIBILITIES

Article 5

- (1) The Provincial Government has the duties and responsibilities to:
 - a. organize education and job training by LPK owned by the Provincial Government and/or accredited private LPK;

- b. manage the repatriation of Indonesian Migrant Workers in the event of war, natural disasters, disease outbreaks, deportation, and Troubled Indonesian Migrant Workers in accordance with its authority;
 - c. issue and revoke permits for branch offices of P3MI;
 - d. report the results of the evaluation of P3MI in a hierarchical and periodic manner to the minister administering government affairs in the field of manpower;
 - e. provide Protection of Indonesian Migrant Workers before and after work;
 - f. provide assistance and services at the departure and repatriation locations for Indonesian Migrant Workers that meet health requirements and standards;
 - g. provide and facilitate training for Prospective Indonesian Migrant Workers through vocational training funded by the education function;
 - h. regulate, nurture, implement, and supervise the placement of Indonesian Migrant Workers; and
 - i. establish LTSA for Indonesian Migrant Workers.
- (2) The duties and responsibilities as referred to in section (1) are carried out in accordance with the provisions of legislation.

CHAPTER III

RIGHTS AND OBLIGATIONS OF INDONESIAN MIGRANT WORKERS

Article 6

Every Prospective Indonesian Migrant Worker or Indonesian Migrant Worker has the right to:

- a. obtain employment abroad and choose a job according to their competence;
- b. access self-improvement through education and job training;

- c. receive accurate information about the job market, placement procedures, and working conditions abroad;
- d. receive professional and human services and treatment without discrimination before and after work;
- e. practice religious rituals according to their faith and beliefs;
- f. receive wages in accordance with the prevailing wage standards in the destination country and/or agreements between the two countries and/or employment contracts;
- g. receive legal protection and assistance for actions that may degrade their dignity, in accordance with the provisions of legislation in Indonesia and the destination country;
- h. receive explanations about rights and obligations as stated in the employment contracts;
- i. have access to communication;
- j. manage travel documents while working;
- k. form associations and gather in the destination country in accordance with the provisions of legislation in the destination country;
- l. receive assurance of safety and security protection for the return of Indonesian Migrant Workers to their hometowns;
- m. obtain documents and employment contracts for Prospective Indonesian Migrant Workers and/or Indonesian Migrant Workers; and
- n. receive social rehabilitation and social reintegration.

Article 7

Every Indonesian Migrant Worker is obligated to:

- a. obey the legislation, both in the home country and in the destination country;
- b. respect the customs or traditions prevailing in the destination country;
- c. obey and carry out their work in accordance with the employment contracts; and
- d. report their arrival, presence, and return to the Indonesian Missions in the destination country.

Article 8

Every Family of Indonesian Migrant Workers has the right to:

- a. obtain information about the conditions, problems, and return of Indonesian Migrant Workers;
- b. receive all the belongings of Indonesian Migrant Workers who have passed away abroad;
- c. obtain copies of documents and employment contracts for Prospective Indonesian Migrant Workers and/or Indonesian Migrant Workers; and
- d. have access to communication.

CHAPTER IV

IMPLEMENTATION OF PROTECTION OF INDONESIAN MIGRANT WORKERS

Part One

General

Article 9

The Provincial Government conducts Before Working Protection and After Working Protection for Indonesian Migrant Workers.

Part Two

Before Working Protection

Article 10

- (1) Before Working Protection for Indonesian Migrant Workers as referred to in Article 9 includes:
 - a. administrative protection; and
 - b. technical protection.
- (2) The administrative protection as referred to in section (1) point a at least includes:
 - a. completeness and validity of placement documents; and
 - b. determination of working conditions and requirements.

- (3) The technical protection as referred to in section (1) point b at least includes:
 - a. providing socialization and information dissemination;
 - b. improving the quality of Prospective Indonesian Migrant Workers through education and job training;
 - c. Social Security;
 - d. facilitating the fulfilment of rights for Prospective Indonesian Migrant Workers;
 - e. strengthening the role of functional job placement officers;
 - f. placement services at LTSA for Indonesian Migrant Workers; and
 - g. coaching and supervision.

Article 11

- (1) Education and job training to improve the quality of Prospective Indonesian Migrant Workers are organized by LPK.
- (2) LPK as referred to in section (1) consists of:
 - a. Government LPK;
 - b. Provincial Government LPK;
 - c. Regency/Municipal Government LPK; and
 - d. Private LPK.
- (3) LPK is established and conducts job training in accordance with the provisions of legislation.
- (4) The Provincial Government bears the costs of implementation imposed on participants in job training conducted by the Provincial Government LPK as referred to in section (2) point b.
- (5) Private LPK Institutions as referred to in section (2) point d may conduct job training in collaboration with employers and without charging fees to Prospective Indonesian Migrant Worker.
- (6) LPK that provide job training facilitate Prospective Indonesian Migrant Workers in obtaining a Competency

Certificate issued by professional certification bodies in accordance with the provisions of legislation.

- (7) The Provincial Government covers the costs imposed on Prospective Indonesian Migrant Worker from the Region to obtain a Competency Certificate organised by Provincial LPK and Private LPK.

Article 12

- (1) Provincial Government LPK as referred to in Article 11 section (2) point b organizes education and training for Prospective Indonesian Migrant Workers to obtain work competence and foreign language competence according to the needs of the destination country.
- (2) The Provincial Government ensures the adequacy of facilities, infrastructure, human resources, and budget, as well as the availability of training programs and modules to organize education and training at LPK Provincial Government as referred to in section (1).
- (3) Further provisions regarding the implementation of education and training by LPK Provincial Government are regulated in a Governor Regulation.

Article 13

- (1) Every Prospective Indonesian Migrant Worker must have documents as a requirement for placement in the destination country.
- (2) The documents as referred to in section (1) include:
 - a. a marriage certificate for those who are married, attaching a photocopy of the marriage book;
 - b. a certificate of permission from the husband or wife, permission from the parents, or permission from the guardian known by the urban village head or rural village head;
 - c. a work competence certificate;
 - d. a health certificate based on the results of health and psychological examinations;

- e. a passport issued by the local immigration office;
 - f. a work visa;
 - g. Indonesian Migrant Workers placement agreement;
and
 - h. employment contracts.
- (3) The Provincial Government through LTSA for Indonesian Migrant Workers may provide financial assistance for Prospective Indonesian Migrant Workers who are unable to pay the document processing fees as referred to in section (2) point d, point e, and/or point f, except when already covered by the Employer in accordance with the provisions of legislation.

Article 14

- (1) Indonesian Migrant Workers with certain job positions cannot be burdened with placement fees according to the provisions of legislation.
- (2) The certain job positions as referred to in section (1) consist of:
- a. household manager;
 - b. babysitter;
 - c. elderly care;
 - d. cook;
 - e. family driver;
 - f. gardener;
 - g. child caregiver;
 - h. sanitation worker;
 - i. plantation worker/agricultural worker;
 - j. migrant fisheries crew.

Article 15

- (1) Every Prospective Indonesian Migrant Worker is obligated to attend OPP.
- (2) The OPP as referred to in section (1) is organized by the LTSA for Indonesian Migrant Workers.
- (3) The OPP as referred to in section (2) aims to provide understanding and in-depth knowledge of:

- a. legislation in the field of immigration, manpower, and related criminal provisions in the destination country;
 - b. employment contracts materials;
 - c. customs and cultural traditions of the destination country;
 - d. financial education;
 - e. threats and dangers of radicalism and extremism;
 - f. human trafficking crimes;
 - g. prevention of HIV/AIDS and other communicable diseases;
 - h. the dangers of narcotics;
 - i. the importance of maintaining good relations with family and long-distance child care;
 - j. procedures for reporting issues experienced by Indonesian Migrant Workers and their Families;
 - k. other relevant materials.
- (4) The costs of organizing OPP are charged to APBD.

Article 16

The Provincial Government facilitates the repatriation of Indonesian Migrant Workers who fail to depart due to:

- a. disasters and/or war in the destination country;
- b. results of departure prevention;
- c. fraud;
- d. unilateral cancellation of employment contracts;
- e. victims of human trafficking;
- f. illness; and/or
- g. victims of sexual violence.

Part Three

After Working Protection

Article 17

After Working Protection for Indonesian Migrant Workers as referred to in Article 9 includes:

- a. facilitation of return to the hometowns;
- b. facilitation of settling unfulfilled rights of Indonesian Migrant Workers;

- c. facilitation of handling Indonesian Migrant Workers who are sick and pass away;
- d. services for complaints from Indonesian Migrant Workers;
- e. data collection of Indonesian Migrant Workers after work; and
- f. social rehabilitation.

Paragraph 1

Facilitation of Return to Hometowns

Article 18

- (1) The Provincial Government arranges for the return of Indonesian Migrant Workers in the event of war, natural disasters, disease outbreaks, deportation, and problematic Migrant Workers by providing transportation, health services, and rehabilitation in accordance with its authority.
- (2) The Provincial Government is obligated to allocate funds for facilitating the return of Indonesian Migrant Workers originating from the Region from the debarkation to their hometowns.

Article 19

Provisions regarding the facilitation of the return of Indonesian Migrant Workers as referred to in Article 18 apply *mutatis mutandis* to the Families of Indonesian Migrant Workers.

Article 20

- (1) Before being returned to their hometowns, Indonesian Migrant Workers and/or their families may be placed in a Shelter.
- (2) While staying in the Shelter, all the basic needs of Indonesian Migrant Workers and their families are covered by the Provincial Government.

Paragraph 2

Facilitation of Settlement of Unfulfilled Rights of Indonesian
Migrant Workers

Article 21

- (1) The Provincial Government facilitates the settlement of unfulfilled rights of Indonesian Migrant Workers during their employment in the destination country.
- (2) The facilitation of settling the rights of Indonesian Migrant Workers as referred to in section (1) is carried out in the forms of:
 - a. seeking information related to the reasons for the unfulfilled rights of Indonesian Migrant Workers;
 - b. providing information to the Government and P3MI regarding the unfulfilled rights of Indonesian Migrant Workers;
 - c. facilitating the meeting between Indonesian Migrant Workers and the Government and P3MI to clarify and settle the unfulfilled rights of Indonesian Migrant Workers by the Employer.
- (3) In facilitating the settlement of rights of Indonesian Migrant Workers as referred to in section (1), the Provincial Government coordinates with the Government and P3MI.

Paragraph 3

Facilitation of Management of Indonesian Migrant Workers
who have Passed Away

Article 22

In the event that an Indonesian Migrant Worker passes away abroad, P3MI is obligated to:

- a. notify the family about the death of the Indonesian Migrant Worker not later than 3 (three) times within 24 (twenty-four) hours after knowing about the death;
- b. gather information about the cause of death and inform the Provincial or Regency/Municipal Government, as well as the relevant family members;

- c. repatriate the body of the Indonesian Migrant Worker to their place of origin in a dignified manner and bear all necessary costs, including burial expenses according to the religious procedures of the respective Indonesian Migrant Worker;
- d. handle the burial in the country of placement of the Indonesian Migrant Worker with the approval of their family or in accordance with the applicable regulations in that country;
- e. provide protection for all assets of the Indonesian Migrant Worker for the benefit of their families;
- f. arrange for the fulfilment of all rights of the Indonesian Migrant Worker, including the right to Social Security that should be received.

Paragraph 4

Service for Complaints from Indonesian Migrant Workers

Article 23

- (1) The Provincial Government provides a complaints service for Indonesian Migrant Workers at the Debarkation.
- (2) The service for complaints from Indonesian Migrant Workers as referred to in section (1) is provided in the forms of:
 - a. direct complaint services; and
 - b. online complaint services.
- (3) The Provincial Government follows up on complaints submitted by Indonesian Migrant Workers.

Paragraph 5

Social Rehabilitation

Article 24

- (1) The Provincial Government conducts social rehabilitation and social reintegration for Indonesian Migrant Workers and their families.

- (2) Social rehabilitation as referred in to in section (1) is carried out through activities aimed at recovering from disturbances to mental-social conditions, exposure to radicalism and extremism, and restoring social functioning so that they can resume their roles in the family and society in a normal manner.
- (3) The Provincial Government provides special services for Indonesian Migrant Workers and/or their families who are exposed to radicalism through the provision of human resources and programs needed in the implementation of social rehabilitation and social reintegration, involving public participation.
- (4) The social rehabilitation as referred to in section (1) is carried out in Shelter, implemented by the regional apparatus administering government social affairs as well as women's empowerment and child protection.

Paragraph 7

Empowerment of Indonesian Migrant Workers

Article 25

- (1) The Provincial Government empowers Indonesian Migrant Workers.
- (2) Empowerment of Indonesian Migrant Workers as referred to in section (1) is carried out in the forms of:
 - a. provision of skill enhancement services;
 - b. assistance in the implementation of business activities;
 - c. provision of financial education and entrepreneurship; and/or
 - d. business capital assistance.
- (3) In carrying out the empowerment of Indonesian Migrant Workers as referred to in section (1), the Provincial Government may collaborate with other provincial governments, regency/municipal governments, regency/municipal from other provinces, business entities, training institutions, educational units,

Indonesian Migrant Worker organizations, and/or community organizations.

Article 26

The Regional LTSA for Indonesian Migrant Worker organizes OPP for Indonesian Migrant Workers Individual in the event that regency/municipal LTSA does not organize OPP.

CHAPTER V

INSTITUTIONAL FRAMEWORK FOR PROTECTION OF INDONESIAN MIGRANT WORKERS

Part One

General

Article 27

In order to protect Indonesian Migrant Workers, the Provincial Government establishes:

- a. LTSA for Indonesian Migrant Workers; and
- b. Shelter for the Protection of Indonesian Migrant Workers.

Part Two

One-Stop Integrated Services for Placement and Protection of Indonesian Migrant Workers

Article 28

- (1) LTSA for Indonesian Migrant Workers as referred to in Article 27 point a is established by the Governor by considering the effectiveness and efficiency of the Protection of Indonesian Migrant Workers.
- (2) LTSA for Indonesian Migrant Worker as referred to in section (1) is established in several regencies/municipalities in the Region by considering:
 - a. the number of Prospective Indonesian Migrant Workers and/or Indonesian Migrant Workers served;
 - b. the potential problems faced by Indonesian Migrant Workers;

- c. the ease of access to services for Indonesian Migrant Workers; and/or
 - d. the availability of facilities, infrastructure, and personnel.
- (3) The Provincial Government ensures the availability and improvement of competent human resources, infrastructure, budget, technology, types of services, and service procedures at each LTSA for Indonesian Migrant Workers.
- (4) LTSA for Indonesian Migrant Workers as referred to in section (1), operates in a coordinated and integrated manner with the entire mechanism of services for placement and Protection of Indonesian Migrant Workers carried out by technical institutions / agencies according to their respective functions, duties, and authority.

Article 29

The LTSA for Indonesian Migrant Workers is tasked with:

- a. providing information on the types, requirements, and procedures for services for placement and Protection of LTSA for Indonesian Migrant Workers at the LTSA for Indonesian Migrant Workers;
- b. providing information on job vacancies and working conditions abroad electronically integrated with the integrated labour information system;
- c. providing electronic services to fulfil the requirements for placement and Protection of Indonesian Migrant Workers integrated with the computerized system of Protection of Indonesian Migrant Worker;
- d. handling problems faced by Indonesian Migrant Workers before and after work; and
- e. facilitating the repatriation of Troubled Indonesian Migrant Workers and/or those who pass away.

Article 30

Indonesian Migrant Workers are not charged fees for the services provided at the LTSA for Indonesian Migrant Workers.

Article 31

Further provisions regarding the establishment of LTSA for Indonesian Migrant Workers are regulated in a Governor Regulation.

Part Three

Shelter for Protection of Indonesian Migrant Workers

Article 32

- (1) The Shelter for the Protection of Indonesian Migrant Workers as referred to in Article 27 point b is established as a center for services and protection for troubled Indonesian Migrant Workers.
- (2) The Shelter for the Protection of Indonesian Migrant Workers as referred to in section (1) is established in several regency/municipality in the Region considering regional representation and the number of cases of troubled Indonesian Migrant Workers handled in the respective areas.
- (3) The Provincial Government ensures the availability of infrastructure, service systems, competent human resources, and budget in the implementation of services at the Shelter for the Protection of Indonesian Migrant Workers.
- (4) The costs of organizing services at the Shelter for the Protection of Indonesian Migrant Workers, as referred to in section (1), are charged to the APBD.
- (5) Further provisions regarding the establishment of the Shelter for the Protection of Indonesian Migrant Workers are regulated by a Governor Regulation.

Article 33

In the implementation of the Protection of Indonesian Migrant Workers services, the Shelter for the Protection of Indonesian Migrant Workers may collaborate with the Integrated Regional Service Unit for the Protection of Women and Children within

the Provincial Government and/or Regency/Municipal Governments.

CHAPTER VI
ESTABLISHMENT OF BRANCH OFFICES FOR THE
PLACEMENT OF INDONESIAN MIGRANT WORKERS
COMPANIES

Article 34

- (1) P3MI headquartered outside the Region that places Indonesian Migrant Workers from the Region is obligated to establish a Branch Office of P3MI in the Region.
- (2) The establishment of the Branch Offices of P3MI as referred to in section (1) is required to obtain permit from the Provincial Government through the Online Single Submission.
- (3) The permit as referred to in section (2) applies to P3MI to carry out the recruitment of Prospective Indonesian Migrant Workers throughout the Region.
- (4) Further provisions regarding the procedures for submitting applications for the establishment permit of the Branch Offices of P3MI are regulated in a Governor Regulation.

Article 35

- (1) P3MI domiciled and headquartered in the Region must register with the Provincial Office.
- (2) P3MI with its headquarters in the Region is not allowed to establish branch offices in the Region.
- (3) The establishment and licensing of the central office in the Region are carried out in accordance with the provisions of legislation.

Article 36

- (1) Activities carried out by the branch offices of P3MI are the responsibility of the central office of P3MI.

- (2) The branch offices of P3MI carries out activities of:
- a. counselling and data collection for Prospective Indonesian Migrant Workers;
 - b. recruitment and selection of Prospective Indonesian Migrant Workers; and/or
 - c. resolution of cases involving Prospective Indonesian Migrant Workers or Indonesian Migrant Workers before and after work.

Article 37

P3MI conducting activities in the Region or establishing branch offices in the region is obligated to:

- a. fulfil the rights of Indonesian Migrant Workers before, during, and after work in accordance with the provisions of legislation.
- b. bear all costs for resolving cases of Indonesian Migrant Workers.
- c. recruit Prospective Indonesian Migrant Workers according to job opportunities in the country of placement.
- d. register Prospective Indonesian Migrant Workers to participate in OPP.
- e. immediately carry out the departure of Prospective Indonesian Migrant Workers without going through a shelter; and
- f. report data on the return of Indonesian Migrant Workers to the Region and the extension of the Employment Contracts for Indonesian Migrant Workers from the Region to the LTSA for Indonesian Migrant Workers and resolve cases of Indonesian Migrant Workers before and after work.

CHAPTER VII

LEGAL, SOCIAL, AND ECONOMIC PROTECTION OF INDONESIAN MIGRANT WORKERS

Part One

General

Article 38

- (1) The Provincial Government provides legal, social, and economic protection for Indonesian Migrant Workers.
- (2) Legal, social, and economic protection as referred to in section (1) is provided before and after work in accordance with its authority.
- (3) Legal, social, and economic protection as referred to in section (1) applies to:
 - a. Indonesian Migrant Workers departing through placement operators;
 - b. Indonesian Migrant Workers with problems;
 - c. Individual Indonesian Migrant Workers.

Part Two

Legal Protection

Article 39

- (1) The Provincial Government provides legal protection for Indonesian Migrant Workers and their Families before and after work.
- (2) Legal protection as referred to in section (1) can be provided by the Provincial Government in the form of legal assistance.
- (3) Legal protection as referred to in section (1) is carried out to ensure the fulfilment of the rights of Indonesian Migrant Workers and their Families.
- (4) Legal protection as referred to in section (2) and section (3) is carried out in accordance with the provisions of legislation and/or the laws of the country of placement, as well as international laws and customs.

Article 40

- (1) In order to provide legal protection for Indonesian Migrant Workers, the Provincial Government disseminates information to Prospective Indonesian Migrant Workers

and the public about the list of destination countries that meet the provisions:

- a. having legislation protecting foreign workers;
 - b. already having a written agreement between the government of the destination country and the Government of the Republic of Indonesia; and/or
 - c. having a Social Security system and/or insurance that protects foreign workers.
- (2) The implementation of information dissemination as referred to in section (1) is carried out in print and/or electronic information systems that are easily accessible to the general public.
- (3) The Provincial Government makes efforts to prevent the departure of Indonesian Migrant Workers to destination countries for work that do not meet the provisions as referred to in section (1).

Article 41

In the effort to provide legal protection for Indonesian Migrant Workers, Any Person is prohibited from:

- a. detaining or withholding original documents that are inherent to Indonesian Migrant Workers as collateral; and
- b. engaging in extortion actions against Prospective Indonesian Migrant Workers and/or Indonesian Migrant Workers through imposing placement and protection fees beyond those specified in the legislation.

Part Three

Social Protection

Article 42

- (1) The Provincial Government provides social protection for Indonesian Migrant Workers through:
- a. improving the quality of education and job training through standardizing job competencies;
 - b. enhancing the role of accreditation and certification institutions;

- c. providing qualified educators and job training instructors in their respective fields;
 - d. implementing Social Security;
 - e. policies for the protection of women and children; and
 - f. establishing for Protection of Indonesian Migrant Workers centres in the destination countries.
- (2) The establishment of Protection of Indonesian Migrant Workers centres in the destination countries are carried out in coordination with the Central Government.
- (3) In implementing social protection as referred to in section (1), the Provincial Government may collaborate with the business sector, industry, society, and international organizations in accordance with the provisions of legislation.

Part Four

Economic Protection

Article 43

- (1) The Provincial Government provides economic protection for Indonesian Migrant Workers within its authority through:
- a. management of remittances involving domestic banking institutions or non-banking financial institutions and destination countries;
 - b. financial education to enable Indonesian Migrant Workers and their families to manage their remittance income;
 - c. entrepreneurial education; and
 - d. providing education and training centers for the Families of Indonesian Migrant Workers in regional government agencies responsible for education, trade and industry, cooperatives, small and medium enterprises, and workers.
- (2) In implementing economic protection as referred to in section (1), the Provincial Government may collaborate with financial institutions, the business sector, industry,

society, and international organizations in accordance with the provisions of legislation.

CHAPTER VIII SOCIAL SECURITY

Article 44

- (1) Indonesian Migrant Workers and their Families are entitled to Social Security.
- (2) Social Security as referred to in section (1) includes:
 - a. security for health;
 - b. security for employment.
- (3) In the event that Indonesian Migrant Workers and their Families do not have Social Security, the Provincial Government facilitates the fulfilment of Social Security as referred to in section (2).
- (4) Social Security as referred to in section (2) is administered by BPJS Kesehatan (Social Security Agency for health) and BPJS Ketenagakerjaan (Social Security Agency for Employment) in accordance with the provisions of legislation.

Article 45

- (1) The Provincial Government may assist in paying the BPJS Kesehatan contributions for the Families of Indonesian Migrant Workers who are unable to afford it, in accordance with the provisions of legislation.
- (2) The implementation of assistance in paying BPJS Kesehatan contributions for the Families of Indonesian Migrant Workers as referred to in section (1) is carried out in accordance with the provisions of legislation.

CHAPTER IX INFORMATION SYSTEM

Article 46

- (1) In order to disseminate information to the public regarding the implementation of placement and Protection of Indonesian Migrant Workers, the Provincial Government may establish an electronic-based information system.
- (2) The Information System as referred to in section (1) is integrated with the labour information system managed by the government in the field of manpower and information systems managed by Regency/Municipal Government.
- (3) The Information System as referred to in section (1) at least contain:
 - a. rights and obligations of Indonesian Migrant Workers and their Family members;
 - b. job vacancies, types of jobs, Employers, workplace locations, and working conditions;
 - c. Social Security programs, access methods, and claim mechanisms;
 - d. official migration procedures, including requirements, procedures, and safe migration stages;
 - e. placement fees in accordance with legislation;
 - f. vulnerabilities of Indonesian Migrant Workers to human trafficking, narcotics syndicates, radicalization risks, and health issues, including women's reproductive health and mental health;
 - g. legal and cultural aspects in the destination country;
 - h. placement and employment contracts;
 - i. lists of P3MI and Business Partners;
 - j. lists of countries as placement destinations and prohibited countries;
 - k. complaint and reporting mechanisms both domestically and internationally;
 - l. procedures at LTSA for Indonesian Migrant Workers;
 - m. salary standards;
 - n. data on Indonesian Migrant Workers and retired Indonesian Migrant Workers and their families;
 - o. data on Indonesian Migrant Workers who depart through placement operators, individual Indonesian

Migrant Workers, and Problematic Indonesian
Migrant Workers.

CHAPTER X
COORDINATION AND COOPERATION

Article 47

- (1) In implementing the Protection of Indonesian Migrant Workers, which falls under the authority of the Government, the Provincial Government coordinates with the Central Government.
- (2) Coordination as referred to in section (1) is conducted by the Provincial Government to ensure that the rights of Indonesian Migrant Workers are fulfilled in accordance with legislation or employment contracts.
- (3) In conducting coordination as referred to in section (1), the Provincial Government may provide facilitation and/or assistance to Indonesian Migrant Workers and their Families who encounter problems.
- (4) Coordination as referred to in section (1) is carried out in accordance with the provisions of legislation.

Article 48

- (1) In order to improve services for placement and Protection of Indonesian Migrant Workers, the Provincial Government may cooperate with:
 - a. other local governments;
 - b. business and industrial players;
 - c. professional organizations;
 - d. community organizations;
 - e. groups of society concerned with Indonesian Migrant Workers;
 - f. educational institutions; and/or
 - g. institutions or local governments abroad.
- (2) The cooperation as referred to in section (1) is carried out in accordance with the provisions of legislation.

Article 49

Coordination and cooperation as referred to in Article 47 and Article 48 are carried out for the efficiency and effectiveness of services for placement and Protection of Indonesian Migrant Workers in the implementation of:

- a. before and after working protection; and
- b. legal, social, and economic protection.

CHAPTER XI

PUBLIC PARTICIPATION

Article 50

- (1) Public participation is carried out to support the improvement of services for placement and protection of Indonesian Migrant Workers in the Region.
- (2) The public participation as referred to in section (1) can be carried out through:
 - a. providing information and assistance related to problem resolution in the implementation of placement and Protection of Indonesian Migrant Workers and their Families;
 - b. providing education and training for Prospective Indonesian Migrant Workers;
 - c. implementing empowerment activities for Indonesian Migrant Workers and their Families; and
 - d. monitoring the implementation of placement and Protection of Indonesian Migrant Workers.
- (3) The public participation as referred to in section (2) is carried out in accordance with the provisions of legislation.

CHAPTER XII

DEVELOPMENT AND SUPERVISION

Article 51

- (1) The Governor carries out development and supervision of the Protection of Indonesian Migrant Workers.

- (2) Technical implementation of development and supervision as referred to in section (1) is carried out by the Labour Inspector.
- (3) General supervision is carried out by the Provincial Inspectorate.

Article 52

- (1) Development is carried out for institutions related to the placement and Protection of Indonesian Migrant Workers.
- (2) The development as referred to in section (1) is carried out through:
 - a. providing guidance, supervision, and consultation;
 - b. giving awards; and
 - c. monitoring and evaluating performance.

Article 53

- (1) Supervision is carried out to ensure the implementation of placement and Protection of Indonesian Migrant Workers and their families in accordance with the provisions of legislation.
- (2) The supervision as referred to in section (1) is conducted on:
 - a. Protection of Indonesian Migrant Workers and their Families before and after work;
 - b. dispute resolution between Prospective Indonesian Migrant Workers or Indonesian Migrant Workers and P3MI; and
 - c. provision of job skills by LPK.

Article 54

Further provisions regarding development and supervision as referred to in Article 52 and Article 53 are regulated in a Governor Regulation.

CHAPTER XIII

DISPUTE RESOLUTION

Article 55

- (1) In the event of a dispute between Indonesian Migrant Workers and P3MI regarding the implementation of placement agreements, both parties must seek a peaceful resolution through consultation without disregarding their respective rights.
- (2) If a resolution through consultation as referred to in section (1) is not achieved, either party or both parties can request the assistance of the Provincial Office as a mediator.
- (3) In the event that a resolution through consultation is not achieved, or one or both parties do not agree with the dispute resolution offer submitted by the Provincial Office, one or both parties can settle the dispute in accordance with the provisions of legislation.

CHAPTER XIV

ADMINISTRATIVE SANCTIONS

Article 56

- (1) Any Person who violates the provisions of Article 7, Article 15 section (1), Article 22 section (1), Article 34 section (1) and section (1), and Article 37 is subject to administrative sanctions.
- (2) The administrative sanctions as referred to in section (1) are in the forms of:
 - a. written warnings;
 - b. administrative fines;
 - c. temporary or permanent suspension of placement to the destination country;
 - d. temporary suspension of some or all business activities;
 - e. freezing of business permits; and/or
 - f. revocation of business permits.
- (3) Further provisions regarding the procedures for imposing administrative sanctions as referred to in section (1) are regulated in a Governor Regulation.

CHAPTER XV
INVESTIGATION PROVISIONS

Article 57

- (1) Civil Servant Investigators within the Provincial Government have authority to conduct investigations into violations of this Regional Regulation in accordance with the provisions of legislation.
- (2) Civil Servant Investigators as referred to in section (1) include Labour Inspectors in the Region and Civil Servant Investigators in the Regional Police.
- (3) Civil Servant Investigators as referred to in section (1) have authority to:
 - a. receive reports or complaints from individuals about the occurrence of criminal acts;
 - b. examine the truth of reports or information regarding criminal acts;
 - c. examine individuals that are suspected of committing criminal acts;
 - d. request statements and evidence from individuals related to criminal acts;
 - e. examine records, notes, and other documents related to criminal acts;
 - f. conduct an inspection at a specific location suspected of containing evidence, records, and other documents, as well as seizing materials and items resulting from the crime that can be used as evidence in a criminal case;
 - g. take the first action at the crime scene and conducting an investigation;
 - h. order a suspect to stop and checking the suspect's identification;
 - i. seize items and/or documents;
 - j. take fingerprints and photographing of individuals;
 - k. call individuals to be heard and examined as a suspect or witness;

- l. bring in the necessary experts in connection with the case examination;
 - m. request expert assistance in carrying out criminal investigation duties;
 - n. terminate the investigation after receiving instructions from the Police Investigator that there is insufficient evidence, or that the incident is not a criminal act, and subsequently inform the public prosecutor, the suspect or his family;
 - o. carry out other actions according to the law that can be accounted for.
- (4) The Civil Servant Investigators as referred to in section (1) notify the commencement of the investigation and the results of the investigation to the Police Investigator of the Republic of Indonesia.
- (5) The Civil Servant Investigators as referred to in section (1) submit the results of the investigation to the district court or public prosecutor in accordance with the provisions of legislation.

CHAPTER XVI

CRIMINAL PROVISIONS

Article 58

- (1) Any Person who violates the provisions as referred to in Article 41 point a, is sentenced with imprisonment for a maximum of 3 (three) months or a fine for a maximum for Rp50,000000,00 (fifty million rupiahs).
- (2) The criminal act as referred to in section (1) is a violation.

Article 59

Any Person who violates the provisions as referred to in Article 41 point b is punished in accordance with the provisions of legislation.

CHAPTER XVII

FINANCING

Article 60

- (1) The costs of Protection of Indonesian Migrant Workers and their Families are charged to the APBD and other legitimate sources of income.
- (2) The management of the costs of Protection of Indonesian Migrant Workers as referred to in section (1) is carried out in accordance with the provisions of legislation.

CHAPTER XVIII
TRANSITIONAL PROVISIONS

Article 61

Regional Institutions that provide services for placement and Protection of Indonesian Migrant Workers remain continue to perform their duties until the establishment of new institutions in accordance with this Regional Regulation.

Article 62

Shelters for the Protection of Indonesian Migrant Workers as referred to in Article 27 point b are established not later than 6 (six) months as of the promulgation of this Regional Regulation.

Article 63

Permit that have been issued before the promulgation of this Regional Regulation remain valid until the expiration of the permit period.

CHAPTER XIX
CLOSING PROVISIONS

Article 64

Upon the commencement of this Regional Regulation, Regulation of the Province of East Java Number 4 of 2016 on Placement Services and Protection of Indonesian Migrant Workers Abroad (Regional Gazette of the Province of East Java 2016 Number 4 Series E, Supplement to the Regional Gazette

of the Province of East Java Number 58) is repealed and declared ineffective.

Article 65

- (1) Governor Regulations as the implementation of this Regional Regulation are issued not later than 6 (six) months from the promulgation of this Regional Regulation.
- (2) The Provincial Office is responsible for proposing the substantive material content of Governor Regulation as referred to in section (1).
- (3) The materials content as referred to in section (2) are submitted to the Legal Bureau to be formulated into a draft Governor Regulation.

Article 66

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

In order that every person may know hereof, it is ordered to promulgate this Regional Regulation by its placement in the Regional Gazette of the Province of East Java.

Issued in Surabaya
on 11 April 2022
GOVERNOR OF EAST JAVA,

signed

KHOFIFAH INDAR PARAWANSA

Promulgated in Surabaya
on 11 April 2022
ACTING SECRETARY OF THE PROVINCE OF EAST JAVA,

signed

Dr. Ir. WAHID WAHYUDI, M.T.
REGIONAL GAZZETE OF THE PROVINCE OF EAST JAVA OF 2022 NUMBER 2
SERIES D.

Jakarta, 2 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

ELUCIDATION OF
REGULATION OF THE PROVINCE OF EAST JAVA
NUMBER 2 OF 2022
ON
IMPLEMENTATION OF PROTECTION OF INDONESIAN MIGRANT WORKERS

I. GENERAL

Every Indonesian citizen has equal rights and opportunities without discrimination to obtain employment and a decent livelihood for humanity. Work is a fundamental human right that must be upheld, respected, and guaranteed for its enforcement. Indonesian Migrant Workers and their Families must be protected from human trafficking, including slavery and forced Labour, victims of violence, arbitrariness, crimes against human dignity, and other treatments that violate human rights, both before and after work.

The Protection of Indonesian Migrant Workers and their Family's needs to be carried out in an integrated system involving the Central Government, Local Governments, both Provinces and Regency/Municipality as well as Village Governments, P3MI, and the community.

To provide services for placement and Protection of Migrant Workers from the Region, the Government of the Province of East Java has enacted Regulation of the Province of East Java Number 4 of 2016 on Services for Placement and Protection of Indonesian Workers Abroad, in accordance with the provisions regulated in Law Number 39 of 2004 on Placement and Protection of Workers Abroad. However, with the enactment of Law Number 18 of 2017 on Protection of Indonesian Migrant Workers, which repealed Law Number 39 of 2004 on Placement and Protection of Workers Abroad, Regulation of the Province of East Java Number 4 of 2016 loses its juridical and

substantive validity, or in other words, its content has deviated significantly from the material regulated in Law Number 18 of 2017. Additionally, non-procedural resolution of cases involving non-procedural cases of Indonesian Migrant Workers, victims of violence, and human trafficking, as well as the fulfilment of the rights of the Families of Indonesian Migrant Workers before and after work, lacks clear legal policies.

Based on the above legal developments and needs, Regulation of the Province of East Java Number 4 of 2016 on Services for Placement and Protection of Indonesian Workers Abroad must be replaced by the making of Regulation of the Province of East Java on Protection of Indonesian Migrant Workers and their Families. The regulation of the Protection of Indonesian Migrant Workers and their families is based on the division of authority in the field of Labour regulated in letter G regarding the Division of Government Affairs in the Field of Worker in Number 2 of the Annex to Law Number 23 of 2014 on Local Governments. This stipulates that the Central Government has the authority to provide protection for Indonesian Migrant Workers abroad, provincial governments have the authority to provide protection for Indonesian Migrant Workers before and after placement in the provincial region, while regency/municipal governments have the authority to provide protection for Indonesian Migrant Workers before and after placement in the regency/municipality region. This division of authority for provincial regions becomes the basis for formulating the material content of the draft Regulation of the Province of East Java on the Protection of Indonesian Migrant Workers and their Families.

The Protection of Indonesian Migrant Workers and their Families regulated in this Regional Regulation includes:

- a. before and after working protection for Prospective Indonesian Migrant Workers or Indonesian Migrant Workers and their Families;
- b. legal, social, and economic protection for Indonesian Migrant Workers and their Families; and
- c. Protection of Indonesian Migrant Workers and their Families is provided for Migrant Workers who depart through placement operators, Individual Indonesian Migrant Workers, and Troubled Indonesian Migrant Workers.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Sufficiently clear.

Article 3

Sufficiently clear.

Article 4

Sufficiently clear.

Article 5

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7

Sufficiently clear.

Article 8

Sufficiently clear.

Article 9

Sufficiently clear.

Article 10

Sufficiently clear.

Article 11

Section (1)

The term "LPK" referred to in this provision means Balai Latihan Kerja (Training and Job Placement Center) and Lembaga Pelatihan Kerja (Training Institutions), whether owned by the government or private entities, that are

accredited and provide education and job training for
Prospective Indonesian Migrant Workers.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)

Sufficiently clear.

Article 12

Sufficiently clear.

Article 13

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

The term "Work Visa" means a written permit
issued by authorized officials in the destination
country, granting approval to enter and work in
that respective country.

Point g

The term " Indonesian Migrant Workers Placement Agreement " means a written agreement between the operator of Indonesian Migrant Workers placement and Prospective Indonesian Migrant Workers, that contains the rights and obligations of each party for the placement of Indonesian Migrant Workers in the destination country in accordance with the provisions of legislation.

Point h

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 14

Section (1)

The term "placement fees " in this provision consists of:

- a. departure ticket;
- b. return ticket;
- c. Work Visa;
- d. legalization of Employment Contracts;
- e. job training;
- f. competency certificates;
- g. company services;
- h. passport replacement;
- i. police record certificate;
- j. Social Security for Indonesian Migrant Workers;
- k. health and psychological examinations in the home country;
- l. additional health examinations if required by specific countries;
- m. local transportation from the hometowns to the departure location in Indonesia;
- n. accommodation.

Section (2)

Sufficiently clear.

Article 15

Sufficiently clear.

Article 16

Sufficiently clear.

Article 17

Sufficiently clear.

Article 18

Sufficiently clear.

Article 19

Sufficiently clear.

Article 20

Section (1)

Sufficiently clear.

Section (2)

The term "basic needs" in this provision includes:

- a. food, drink, clothing, and daily necessities;
- b. special needs for women;
- c. special needs for pregnant and childbirth mothers;
- d. special needs for toddlers; and/or
- e. health services.

Article 21

Sufficiently clear.

Article 22

Sufficiently clear.

Article 23

Sufficiently clear.

Article 24

Sufficiently clear.

Article 25

Sufficiently clear.

Article 26

Sufficiently clear.

Article 27

Sufficiently clear.

Article 28

Sufficiently clear.

Article 29

Sufficiently clear.

Article 30

Sufficiently clear.

Article 31

Sufficiently clear.

Article 32

Sufficiently clear.

Article 33

Sufficiently clear.

Article 34

Sufficiently clear.

Article 35

Sufficiently clear.

Article 36

Sufficiently clear.

Article 37

Sufficiently clear.

Article 38

Sufficiently clear.

Article 39

Section (1)

Sufficiently clear.

Section (2)

The term "legal assistance" is in the forms of receiving and executing power of attorney, accompanying, representing, defending, and/or taking other legal actions for the legal interests of Indonesian Migrant Workers and their Families.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 40

Sufficiently clear.

Article 41

Point a

The term "original documents" in this provision refers to the original identification documents such as Resident Identity Card, Birth Certificate, Family Card, diploma, and/or competency certificates.

Point b

Sufficiently clear.

Article 42

Sufficiently clear.

Article 43

Sufficiently clear.

Article 44

Sufficiently clear.

Article 45

Sufficiently clear.

Article 46

Sufficiently clear.

Article 47

Sufficiently clear.

Article 48

Sufficiently clear.

Article 49

Sufficiently clear.

Article 50

Sufficiently clear.

Article 51

Sufficiently clear.

Article 52

Sufficiently clear.

Article 53

Sufficiently clear.

Article 54

Sufficiently clear.

Article 55

Sufficiently clear.

Article 56

Sufficiently clear.

Article 57

Sufficiently clear.

Article 58

Sufficiently clear.

Article 59

Sufficiently clear.

Article 60

Sufficiently clear.

Article 61

Sufficiently clear.

Article 62

Sufficiently clear.

Article 63

Sufficiently clear.

Article 64

Sufficiently clear.

Article 65

Sufficiently clear.

Article 66

Sufficiently clear.

SUPPLEMENT TO THE REGIONAL GAZETTE OF THE PROVINCE OF EAST
JAVA NUMBER 107.