

REGULATION OF THE MINISTER OF MANPOWER
OF THE REPUBLIC OF INDONESIA
NUMBER 10 OF 2018
ON
FOREIGN WORKERS UTILIZATION PROCEDURE

BY THE BLESSINGS OF ALMIGHTY GOD

MINISTER OF MANPOWER OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that Regulation of the Minister of Manpower Number 16 of 2015 on Foreign Workers Utilization Procedure as amended by Regulation of the Minister of Manpower Number 35 of 2015 on Amendment to Regulation of the Minister of Manpower Number 16 of 2015 on Foreign Workers Utilization Procedure, is no longer compatible with the development of manpower so that an improvement is necessary;
 - b. that in order to implement the provisions of Article 42 section (1), Article 43 section (4), Article 44 section (2) of Law Number 13 of 2003 on Manpower and Presidential Regulation Number 20 of 2018 on Foreign Workers Utilization, it is necessary to regulate the foreign workers utilization procedure;
 - c. that based on the considerations as referred to in point a and point b, it is necessary to issue Regulation of the Minister of Manpower on Foreign Workers Utilization Procedure;

- Observing : 1. Law Number 3 of 1951 on Statement of Enactment of Law on Labour Inspection of 1948 Number 23 from the Republic of Indonesia for All Indonesia (State Gazette of the Republic of Indonesia of 1951 Number 4);
2. 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);
3. 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);
4. Law Number 23 of 2014 on Local Government (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as frequently amended and last by Law Number 9 of 2015 on the Second Amendment to Law Number 23 of 2014 on Local Government (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);
5. Government Regulation Number 65 of 2012 on Types of and Tariffs on Non-Tax State Revenues Applicable in the Ministry of Manpower and Transmigration (State Gazette of the Republic of Indonesia of 2012 Number 154, Supplement to the State Gazette of the Republic of Indonesia Number 5333);
6. Government Regulation Number 31 of 2013 on Implementing Regulation of Law Number 6 of 2011 on Immigration (State Gazette of the Republic of Indonesia of 2013 Number 68, Supplement to the State Gazette of the Republic of Indonesia Number 5409);
7. Government Regulation Number 24 of 2018 on Electronically Integrated Business Licensing Service (State Gazette of the Republic of Indonesia of 2018 Number 90, Supplement to the State Gazette of the Republic of Indonesia Number 6215);

8. Presidential Regulation Number 18 of 2015 on Ministry of Manpower (State Gazette of the Republic of Indonesia of 2015 Number 19);
9. Presidential Regulation Number 91 of 2017 on Acceleration of Business Implementation (State Gazette of the Republic of Indonesia of 2017 Number 210);
10. Presidential Regulation Number 20 of 2018 on Foreign Workers Utilization (State Gazette of the Republic of Indonesia of 2018 Number 39);
11. Regulation of the Minister of Manpower Number 8 of 2015 on Preparation Procedures for Making of Draft Law, Draft Government Regulation, and Draft Presidential Regulation as well as Making of Ministerial Regulation in Ministry of Manpower (State Bulletin of the Republic of Indonesia of 2015 Number 411);

HAS DECIDED:

To issue : REGULATION OF THE MINISTER OF MANPOWER ON FOREIGN WORKERS UTILIZATION PROCEDURE.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Ministerial Regulation:

1. Foreign Worker (*Tenaga Kerja Asing*), hereinafter referred to as TKA, means a foreign citizen holding visa with the intention of working in the territory of Indonesia.
2. Counterpart means an Indonesian worker appointed and prepared as an assistant in the framework of technology transfer and transfer of expertise.
3. Employer of Foreign Worker hereinafter referred to as Employer of TKA means a legal entity or other that employs foreign workers by paying wages or other forms of compensation.
4. Foreign Workers Utilization Plan (*Rencana Penggunaan Tenaga Kerja Asing*), hereinafter referred to as RPTKA,

means a plan for the use of foreign workers in certain positions made by Employer of TKA for a certain period endorsed by the minister in charge of government affairs in the field of manpower or appointed officials.

5. TKA Service Online System, hereinafter referred to as TKA Online, is a web-based information technology application in order to provide services for the Employer of TKA through the website tka-online.kemnaker.go.id.
6. Non-Tax State Revenue (*Penerimaan Negara Bukan Pajak*), hereinafter referred to as PNBP, means all of Central Government's revenues that do not come from tax revenues.
7. Local Revenues mean the levy of TKA utilization that goes into the local government's cash.
8. Compensation Fund for TKA Utilization (*Dana Kompensasi Penggunaan TKA*), hereinafter referred to as DKP-TKA, means the compensation that must be paid by Employer of TKA on the TKA utilization as PNBP or Local Revenues.
9. Online Non-Tax State Revenues Information System (*Sistem Informasi Penerimaan Negara Bukan Pajak Online*), hereinafter referred to as SIMPONI, means an information system managed by Directorate General of Budget that includes the PNBP planning system, billing system, and PNBP reporting system.
10. Emergency and Urgent Work means an unplanned work that requires immediate mitigation that is caused by, among others, natural disaster, main engine failure, commotion/demonstration/riot that must be managed immediately in order to prevent fatal loss for the company and/or the public.
11. Temporary Work means a work that is temporary in nature or can be completed within a short period of time at the maximum of 6 (six) months.
12. Impresario Service Business means an entertainment organizer in Indonesia, whether it is bringing in or sending back home the foreign workers who work in arts and sports that is temporary.

13. Limited Stay Visa (*Visa Tinggal Terbatas*), hereinafter referred to as Vitas, means a written statement given by an authorized official at a Representative Office of the Republic of Indonesia or other places set up by the Government of the Republic of Indonesia containing an approval for a Foreigner to travel into the Territory of Indonesia and being a basis for granting Limited Stay Permit in order to work.
14. Limited Stay Permit (*Izin Tinggal Terbatas*), hereinafter referred to as Itas, means a permit granted to a particular foreigner to have domicile and reside in the Territory of Indonesia within a certain period to work.
15. Notification means the approval of TKA Utilization published by the Director General of Labour Placement Development and Employment Opportunity Expansion as the basis for the issuance of Itas.
16. Collecting Agent means the commercial bank appointed by the Minister of Finance to receive the state revenues deposit.
17. Regency/Municipal Office means the office administering government affairs in the field of manpower or regency/municipal licensing.
18. Provincial Office means the agency administering government affairs in the field of manpower or provincial licensing.
19. Director means the Director of Controlling of Foreign Workers Utilization.
20. Director General, hereinafter referred to as Dirjen, means the Director General of Labour Placement Development and Employment Opportunity Expansion.
21. Minister means the minister administering the government affairs in the field of manpower.

Article 2

This Ministerial Regulation is used as a guideline for stakeholders for controlling TKA utilization.

CHAPTER II
EMPLOYER OF FOREIGN WORKERS
AND FOREIGN WORKERS

Part One
Employer of Foreign Workers

Article 3

Employers of TKA include:

- a. government institutions, representatives of foreign countries, international agencies, and international organizations;
- b. foreign trade representative offices, foreign company representative offices, and foreign news offices conducting activities in Indonesia;
- c. foreign private companies registered in the authorized agency;
- d. legal entities established based on the Indonesian law in the form of a Limited Liability Company or a Foundation;
- e. social institutions, religious institutions, and educational institutions;
- f. Impresario Service Business; or
- g. business entities as long as they are not prohibited by the law.

Article 4

- (1) Every Employer of TKA can employ TKA in accordance with the provisions of the legislation.
- (2) Every Employer of TKA prioritizes the Indonesian workers utilization in all available types of position.
- (3) Every Employer of TKA is prohibited from employing TKA for positions that are prohibited for TKA or positions that are closed for TKA.
- (4) Every Employer of TKA that employs TKA is required to:
 - a. own an RPTKA that is legalized by the Minister or an appointed official;
 - b. pay DKP-TKA for each TKA that is employed in accordance with the provisions of the legislation;

- c. enroll TKA in the insurance program in an Indonesian legally incorporated insurance company for those who work for less than 6 (six) months;
 - d. enroll the TKA in National Social Security Program for those who work for minimum of 6 (six) months;
 - e. appoint Counterpart for the purpose of transfer of technology and expertise from TKA;
 - f. conduct education and training for Counterpart; and
 - g. facilitate education and training of Indonesian Language for the employed TKA.
- (5) The insurance program as referred to in section (4) point c is set by the Dirjen after coordinating with Financial Services Authority.
- (6) Provision as referred to in section (4) point e is exempted for the Employer of TKA that employs TKA for Emergency and Urgent Work, Temporary Work, members of board of directors, members of board of commissioners, members of governing board, executive board and supervisory board.

Part Two Foreign Workers

Article 5

Every Foreign Worker who is employed by the Employer of TKA is required to:

- a. have an educational background that is suitable with the qualifications of position that will be held by the TKA;
- b. have a certificate of competence or have a minimum of 5 (five) years of work experience that is in accordance with the qualifications of the position that will be held by the TKA;
- c. transfer his or her expertise to the Counterpart;
- d. have a Taxpayer Identification Number for TKA who has worked for more than 6 (six) months; and
- e. have Itas for work that is issued by the authorized institutions.

Part Three
Certain Position and Sector

Article 6

- (1) TKA can be employed by Employer of TKA in an employment relation for a certain period of time and for a certain position.
- (2) Positions that can be held by TKA as referred to in section (1) are determined by a Ministerial Decision.
- (3) Positions that can be held by TKA as referred to in section (2) are determined by the Minister after receiving inputs from related ministries/institutions.

Article 7

- (1) TKA is prohibited from holding a position that manages personnel affairs and/or certain position.
- (2) Positions that are prohibited for TKA as referred to in section (1) are determined by a Ministerial Decision.
- (3) Positions that are prohibited for TKA as referred to in section (2) are determined by the Minister after receiving inputs from related ministries/institutions.

Article 8

- (1) Employer of TKA can employ the TKA who is being employed by other Employer of TKA in these positions:
 - a. director or commissioner who is not a shareholder;
or
 - b. certain sectors covering education and vocational training sector, digital economy sector, as well as oil and gas sector for the contractor of a partnership contract.
- (2) In the event that an Employer of TKA will employ a TKA as referred to in section (1), the TKA must obtain an approval from the first Employer.
- (3) Each Employer of TKA as referred to in section (1) is required to have RPTKA and pay DKP-TKA.

- (4) The TKA as referred to in section (1) is employed for the maximum until the end of their employment period with the first Employer of TKA.

CHAPTER III

LEGALIZATION OF FOREIGN WORKERS UTILIZATION PLAN

Part One

Foreign Workers Utilization Plan

Article 9

- (1) Employer of TKA that will employ TKA must have an RPTKA that is legalized by the Minister or an appointed official.
- (2) RPTKA time period as referred to in section (1) is in accordance with the employment agreement or project contract.

Article 10

- (1) Employers of TKA who are not required to have RPTKA include:
 - a. government institutions, representatives of foreign countries, and international agencies; or
 - b. Employers of TKA that employ TKA as members of board of directors or members of board of commissioners with share ownership in accordance with the provisions of the legislation.
- (2) Government institutions as referred to in section (1) point a, employ TKA for:
 - a. technical assistance;
 - b. cooperation between ministries/institutions and international agencies;
 - c. national priority program; or
 - d. management of natural disaster/extraordinary event.

Article 11

- (1) In order to obtain RPTKA, Employers of TKA must submit an application to Dirjen or Director through TKA Online by these steps:
 - a. fill in:
 - 1) identity of the Employer of TKA;
 - 2) number of Indonesian workers employed;
 - 3) annual Indonesian workers absorption plan;
 - 4) TKA utilization plan for each year in accordance with the employment agreement or project contract;
 - 5) Counterpart data; and
 - 6) reason for TKA utilization.
 - b. upload:
 - 1) draft employment agreement or draft project contract;
 - 2) organizational structure;
 - 3) statement letter for the appointment of Counterpart;
 - 4) statement letter to conduct work education and training for Indonesian workers in accordance with the qualifications of positions held by TKA; and
 - 5) statement letter of emergency and urgent condition from the Employer of TKA in the event that Employer of TKA employs TKA for Emergency and Urgent Work.
- (2) In RPTKA application as referred to in section (1), there is an examination of document completeness.
- (3) In the event that the RPTKA application documents are incomplete, Director or an appointed official must inform the Employer of TKA.
- (4) Employers of TKA in a maximum of 1 (one) work day are required to complete the incomplete document requirement and submit it through TKA Online.
- (5) In the event that the RPTKA application documents are complete, an assessment is performed on the

appropriateness of RPTKA based on the guideline of list of positions determined by the Minister.

- (6) Assessment on the appropriateness of RPTKA application as referred to in section (5), is conducted through a video call in accordance with the video call ID address that has been determined.
- (7) In the event that the assessment on the appropriateness of RPTKA application as referred to in section (6) has met the requirements, in a maximum of 2 (two) work days the Dirjen or Director issues the RPTKA legalization.
- (8) Draft Employment agreement as referred to in section (1) point b point 1 is made by the Employers of TKA and at least contains the arrangement as regulated in the provisions of the legislation.
- (9) Draft Employment agreement and Statement Letter of the Employer of TKA as referred to in section (1) point b are in accordance with Format 1 that is included in the Annex as an integral part of this Ministerial Regulation.

Article 12

In the event that the RPTKA application is submitted by legally incorporated Employers of TKA for jobs that become the national priority program, the Dirjen or Director issues the RPTKA legalization in 1 (one) work day after the fulfillment of requirements.

Article 13

- (1) RPTKA Legalization is conducted by:
 - a. Dirjen for the Employers of TKA that employ 50 (fifty) persons or more; or
 - b. Director for the Employers of TKA that employ less than 50 (fifty) persons.
- (2) RPTKA legalization as referred to in section (1) contains:
 - a. number and date of RPTKA legalization;
 - b. name and address of the Employer of TKA;
 - c. RPTKA that contains:
 - 1) type of position and number of TKA that will be employed;

- 2) work location of TKA;
 - 3) utilization period of TKA;
 - 4) number of Counterpart; and
 - 5) amount of TKAs' salary.
- d. annual Indonesian workers absorption plan; and
 - e. RPTKA validity period.
- (3) RPTKA legalization as referred to in section (2) is in accordance with Format 2 that is included in the Annex as an integral part of this Ministerial Regulation.

Part Two
Foreign Workers Utilization Plan for
Emergency and Urgent Work

Article 14

- (1) Employers of TKA that employ TKA for Emergency and Urgent Work are required to have RPTKA.
- (2) In a maximum of 2 (two) days after the TKA is employed, Employer of TKA is required to submit an RPTKA application to Dirjen or Director through TKA online.
- (3) In the event that the RPTKA application as referred to in section (1) is complete, Dirjen or Director issues the RPTKA legalization in a maximum of 1 (one) work day.
- (4) RPTKA legalization for Emergency and Urgent Work is issued in a maximum of 1 (one) month and cannot be extended.

Part Three
Foreign Workers Utilization Plan for
Temporary Work

Article 15

- (1) Employers of TKA that employ TKA for Temporary Work are required to have RPTKA.
- (2) RPTKA as referred to in section (1) is given for:
 - a. making of commercial movie, permission for which has been granted by the authorized institution;

- b. performing audit, production quality control, or inspection of branch offices in Indonesia for a time period of more than 1 (one) month;
 - c. works related to machine installation, electricity, after sales services, or products still in the period of market testing; or
 - d. Impresario Service Business.
- (3) Employers of TKA as referred to in section (1) are required to submit the RPTKA application to Dirjen or Director through TKA Online by filling in and uploading the documents listed in Article 11 section (1).
- (4) In the event that the RPTKA application is complete, the Dirjen or Director issues the RPTKA legalization in a maximum of 2 (two) work days.
- (5) RPTKA legalization for Temporary Employment is issued in a maximum of 6 (six) months and cannot be extended.

Part Four

Amendment to Foreign Workers Utilization Plan

Article 16

- (1) Employers of TKA may submit an RPTKA amendment application before the end of RPTKA time period.
- (2) The amendment as referred to in section (1) covers:
- a. name of the Employer of TKA;
 - b. address of the Employer of TKA;
 - c. work location of TKA;
 - d. position of TKA;
 - e. number of TKA;
 - f. time period;
 - g. business sector; and/or
 - h. number of Counterpart.

Article 17

- (1) The RPTKA amendment application is submitted to the Dirjen or Director through TKA Online by updating the data or documents:
- a. reason for amend;

- b. valid RPTKA; and
 - c. supporting documents of RPTKA amendment application in accordance with the submitted.
- (2) In RPTKA amendment application as referred to in section (1), there is an examination of document completeness.
 - (3) In the event that the documents of RPTKA amendment application are incomplete, the Director or appointed official must inform the Employers of TKA.
 - (4) Employers of TKA in a maximum of 1 (one) work day are required to complete the incomplete document requirement and submit it through TKA Online.
 - (5) In the event that the documents of RPTKA amendment application are complete, an assessment on the appropriateness of RPTKA amendment is performed.
 - (6) Assessment on the appropriateness of RPTKA amendment application as referred to in section (5), is conducted through a video call in accordance with the video call ID address that has been determined.
 - (7) In the event that the assessment on the appropriateness of RPTKA amendment application as referred to in section (6), has met the requirements, in a maximum of 2 (two) work days, Dirjen or Director issues the legalization of RPTKA amendment.
 - (8) Legalization of RPTKA Amendment as referred to in section (2) is in accordance with Format 3 that is included in the Annex as an integral part of this Ministerial Regulation.

CHAPTER IV

NOTIFICATION AND PAYMENT OF FOREIGN WORKERS UTILIZATION COMPENSATION FUND

Part One

Notification Application Procedure

Article 18

- (1) Employers of TKA that will employ TKA are required to submit a Notification application to Dirjen.

(2) Notification application as referred to in section (1) is submitted by the Employers of TKA by completing the data of TKA candidates through TKA Online by these steps:

a. fill in:

1. assignment of code and location of the Representative of the Republic of Indonesia;

2. identity of TKA:

a) name of TKA;

b) place of birth;

c) date of birth;

d) sex;

e) civil status (married/divorced/single);

f) nationality;

g) passport number;

h) passport issuance date;

i) passport expiration date;

j) place of passport issuance;

k) level of education;

l) residential address and postal code;

m) e-mail address;

n) cell phone number; and

o) phone number;

3. position of TKA:

a) name of position and code of Indonesian Standard Occupational Codes;

b) level of position; and

c) TKA utilization period.

b. upload:

1. TKA's documents:

a) academic certificate;

b) certificate of competence or work experience;

c) 4x6 (four times six) colored photograph;

d) proof of insurance policy;

e) employment agreement;

f) letter for the appointment of Counterpart;

- g) passport of TKA's nationality (colored); and
 - h) bank statement of TKA or Employer of TKA;
2. documents of Employer of TKA:
- a) application letter to Dirjen or Director for the application of Notification;
 - b) application letter to Director General of Immigration for Vitas application;
 - c) statement letter as the guarantor of TKA;
 - d) identity number of Employer of TKA (citizen identification card/passport/stay permit); and
 - e) approval letter Rp0,00 (zero rupiah).
- (3) Provision of approval letter Rp0,00 (zero rupiah) as referred to in section (2) point b point 2) point e) is in accordance with the provisions of the legislation.
- (4) Statement Letter of the Guarantor of TKA as referred to in section (2) point b point 2) point c) is in accordance with Format 4 that is included in the Annex as an integral part of this Ministerial Regulation.

Article 19

- (1) Data of TKA candidates as referred to in Article 18 section (2) is verified by the Director.
- (2) In the event that data of TKA Candidates as referred to in section (1) is incomplete, the Director informs the Employers of TKA about the missing data that must be completed online in the period of 1 (one) work day.
- (3) Employers of TKA complete the missing data as referred to in section (2) not later than 1 (one) work day and submit it online.
- (4) In the event that the qualifications of TKA are not in accordance with the positions that will be held by TKA, the Director rejects the application.
- (5) In the event that the data of TKA candidates as referred to in section (1) is declared complete and accurate, the Dirjen issues a Notification online to the Employers of TKA not later than 2 (two) work days.
- (6) The Notification as referred to in section (5) consists of:

- a. Employer of TKA;
 - b. identity of TKA;
 - c. work location of TKA;
 - d. validity period of Notification; and
 - e. billing code.
- (7) The period of Notification as referred to in section (6) point d is in accordance with the employment agreement or extension of employment agreement.
 - (8) After receiving the Notification of TKA Utilization, Employers of TKA are required to pay DKP-TKA not later than 1 (one) work day.
 - (9) The Notification as referred to in section (6) is in accordance with Format 5 that is included in the Annex as an integral part of this Ministerial Regulation.

Article 20

- (1) After the Employers of TKA have paid the DKP-TKA, the Dirjen sends the Notification and DKP-TKA's proof of payment to Director General of Immigration by an online intergrated system after receiving the first year DKP-TKA payment from the Employers of TKA.
- (2) The Notification as referred to in section (1) is used by the Director General of Immigration for the Vitas issuance process.

Article 21

- (1) Employers of TKA that are government institutions, representatives of foreign countries, and international agencies that will employ TKA submit the Notification application by completing the data of TKA candidates through TKA Online to the Dirjen.
- (2) Based on the application as referred to in section (1), the Dirjen issues a Notification to Employers of TKA.
- (3) The Dirjen submits the Notification as referred to in section (2) to the Director General of Immigration by an online integrated system for the Vitas issuance process for TKA.

Article 22

Employers of TKA that employ TKA as the members of board of directors or members of board of commissioners with share ownership in accordance with the provisions of the legislation as well as diplomatic and consular officials in representative offices of foreign countries are exempted from Notification.

Part Two

Payment of Foreign Workers Utilization
Compensation Fund

Article 23

- (1) Every Employer of TKA that employ TKA is required to pay DKP-TKA of US\$100 (one hundred United States dollar) per position per person per month as PNBP or Local Revenue.
- (2) PNBP as referred to in section (1) is paid by the Employer of TKA for the first year for every TKA employed and for the second and subsequent years until the end of TKA utilization for the work location of TKA across provinces.
- (3) Local Revenue as referred to in section (1) is paid for the second and subsequent years until the end of Foreign Workers utilization by the Employers of TKA to the provincial government for the work location of TKA across regencies/municipalities in 1 (one) province.
- (4) Local Revenue as referred to in section (1) is paid for the second and subsequent years until the end of TKA utilization by the Employers of TKA to the regency/municipal government for the work location of TKA in 1 (one) regency/municipality.

Article 24

- (1) Director gives a reminder letter to Employers of TKA, 1 (one) month before the DKP-TKA payment for the second and subsequent years.
- (2) The reminder letter as referred to in section (1) is given to Employers of TKA that employ Foreign Workers for more than 1 (one) year.

- (3) In the event that the Employers of TKA fail to pay DKP-TKA at the due date for the second and subsequent years, the Dirjen imposes a sanction in the form of a revocation of Notification.
- (4) The Dirjen informs the revocation of Notification to Director General of Immigration as the basis for taking immigration action on the TKA in accordance with the provisions of the legislation.
- (5) The form of Reminder Letter as referred to in section (1), is in accordance with Format 6 that is included in the Annex as an integral part of this Ministerial Regulation.

Article 25

- (1) DKP-TKA is paid through Collecting Agent with these following requirements:
 - a. Employers of TKA that employ TKA for less than 1 (one) month are required to pay DKP-TKA of 1 (one) full month;
 - b. Employers of TKA that employ TKA for Emergency and Urgent Work or Temporary Work are required to pay DKP-TKA in accordance with the period of TKA employment; and/or
 - c. Employers of TKA that employ TKA for more than 1 (one) year are required to pay DKP-TKA annually.
- (2) Payment of DKP-TKA for Local Revenue is made through the banks that are appointed by the local government.

Article 26

Obligation of DKP-TKA payment is exempted for:

- a. Employers of TKA that are government institutions, representatives of foreign countries, and international agencies;
- b. TKA utilization in social institutions, religious institutions, and TKA utilization in certain positions in educational institutions; or
- c. Employers of TKA that employ TKA as members of board of directors or board of commissioners with share

ownership in accordance with the provisions of the legislation.

Part Three
Online Integration

Article 27

Control of TKA utilization is conducted through the use of data sharing that is integrated online with related technical institutions.

Article 28

- (1) Online integration between Ministry of Manpower and Provincial Offices or Regency/Municipal Offices is conducted in order to utilize the shared data concerning Notification and DKP-TKA payment as Local Revenue.
- (2) Online integration between Ministry of Manpower and Ministry of Law and Human Rights is conducted in order to submit the approval of TKA utilization.
- (3) Online integration between Ministry of Manpower and Ministry of Finance is conducted in order to submit the DKP-TKA payment data through SIMPONI.

CHAPTER V
IMPLEMENTATION OF EDUCATION AND TRAINING

Article 29

- (1) Education and training for Counterpart are implemented in accordance with the qualifications of positions that are held by TKA.
- (2) Qualifications of positions as referred to in section (1) are the level of expertise that must be mastered, level of education that must be achieved, and the work experience that must be had by the Indonesian workers in order to be able to hold the positions that are held by TKA.

- (3) Improvement of education can be done by assigning Counterpart to attend certain strata of education in accordance with the minimum education qualification that is held by TKA.
- (4) Improvement of expertise can be done by assigning Counterpart to attend work training program in accordance with the minimum competence qualification that is held by TKA.

Article 30

- (1) Education and training for Counterpart can be conducted at home or abroad.
- (2) Education for Counterpart is conducted in an accredited educational institution and whose certificate of completion is acknowledged by the government.
- (3) Work training for Counterpart is conducted in an accredited training institution that has obtained certificate of competence from licensed professional certification institution.

Article 31

- (1) Employers of TKA are required to facilitate the education and training of Indonesian Language for TKA that are conducted by the Employers of TKA or in collaboration with Indonesian Language training institution.
- (2) Education and training of Indonesian Language as referred to in section (1) are exempted for Employers of TKA that employ TKA for Emergency and Urgent Work, Temporary Work, members of board of directors, members of board of commissioners, members of governing board, executives board, and supervisory board.

CHAPTER VI REPORTING

Article 32

- (1) Dirjen or Director must submit the utilization data of TKA employed by the Employers of TKA to the Provincial

Offices or Regency/Municipal Offices in accordance with the work location of TKA.

- (2) Utilization data of TKA as referred to in section (1) covers:
 - a. RPTKA legalization; and
 - b. Notification of TKA utilization.

Article 33

- (1) Employers of TKA are required to report the implementation of TKA utilization every 1 (one) year to the Dirjen.
- (2) Report as referred to the section (1) covers:
 - a. implementation of TKA utilization; and/or
 - b. implementation of education and training of Counterpart.
- (3) In the event that the employment agreement of TKA ends or is terminated before the time period of employment agreement, Employers of TKA are required to report the end of TKA utilization to the Dirjen through TKA Online.
- (4) TKA Utilization Report, Implementation Report of Education and Training of Counterpart, and End of TKA Utilization Report as referred to in section (2) and section (3) are in accordance with Format 7 that is included in the Annex as an integral part of this Ministerial Regulation.

CHAPTER VII

GUIDANCE AND SUPERVISION

Part One

Guidance

Article 34

Guidance for the Employers of TKA in TKA utilization as well as the implementation of education and training of Counterpart is provided by the Ministry of Manpower and Provincial Offices and Regency/Municipal Offices according to their respective authority.

Article 35

Guidance for the Employers of TKA as referred to in Article 34 is provided in the form of:

- a. dissemination of the legislation and procedure of TKA utilization; and/or
- b. briefing on the rights, and prohibitions in TKA utilization.

Part Two

Supervision

Article 36

- (1) Supervision on TKA utilization as well as the implementation of education and training of Counterpart is conducted through these stages:
 - a. educative preventive;
 - b. non-justicial repressive; and/or
 - c. justicial repressive.
- (2) Educative preventive stage as referred to in section (1) point a is the prevention effort through the dissemination of norms, technical advices, and assistance.
- (3) Non-justicial repressive stage as referred to in section (1) point b is the coercion effort outside the court institution to fulfill the provisions of the legislation in the form of examination memorandum and/or statement letter of the ability to comply with the provisions of the legislation.
- (4) Justicial repressive stage as referred to section (1) point c is the coercion effort through the court institution by conducting an investigation by the Labour Inspector as the Civil Servant Investigator.

Article 37

Supervision on the Employers of TKA that utilize TKA as well as the implementation of education and training of Counterpart is conducted by the Labour Inspector in Ministry of Manpower and Provincial Offices together and individually in accordance with their respective scope of duties and authorities.

Article 38

In the event that the Labour Inspector discovers that TKA has violated the labour norms, Director General of Labour Inspection and Occupational Safety and Health gives a recommendation to Director General of Immigration to initiate an immigration action on TKA in accordance with the provisions of the legislation.

CHAPTER VIII SANCTIONS

Article 39

- (1) Administrative sanctions consist of:
 - a. service postponement;
 - b. temporary suspension of TKA licensing process;
 - c. revocation of Notification; and/or
 - d. other sanctions in accordance with the provisions of the legislation.
- (2) Administrative sanction in the form of service postponement as referred to in section (1) point a is imposed on the Employers of TKA that commit these violations:
 - a. not enrolling TKA in an insurance program in an Indonesian legally incorporated insurance company for those who work for less than 6 (six) months as referred to in Article 4 section (4) point c;
 - b. not enrolling TKA in National Social Security program for those who work for a minimum of 6 (six) months as referred to in Article 4 section (4) point d;
 - c. not reporting annually to the Minister concerning the implementation of TKA utilization and/or the implementation of education and training of Counterpart as referred to in Article 33 section (1); and/or
 - d. not reporting the end of TKA utilization as referred to in Article 33 section (3).

- (3) Administrative sanction in the form of temporary suspension of TKA licensing process as referred to in section (1) point b is imposed on the Employers of TKA that commit these violations:
 - a. not having an RPTKA that is legalized by the Minister or an appointed official as referred to in Article 4 section (4) point a;
 - b. not appointing Counterpart for the purpose of transfer of technology and expertise of TKA as referred to in Article 4 section (4) point e;
 - c. not implementing the education and training for Counterpart as referred to in Article 4 section (4) point f; and/or
 - d. not facilitating the education and training of Indonesian Language for TKA they employ as referred to in Article 4 section (4) point g.
- (4) Administrative sanction in the form of revocation of Notification as referred to in section (1) point c is imposed on Employers of TKA that commit these violations:
 - a. employing TKA for the positions that are prohibited for TKA or closed positions for TKA as referred to in Article 4 section (3); and/or
 - b. not paying DKP-TKA for every employed TKA as referred to in Article 4 section (4) point b and Article 24 section (3).
- (5) Sanctions as referred to in section (2), section (3), and section (4) are stipulated in the Director General Decision.
- (6) To the revocation of Notification as referred to in section (4), the Dirjen gives a recommendation to Director General of Immigration to initiate an immigration action on the TKA in accordance with the provisions of the legislation.
- (7) Form of Stipulation as referred to in section (5) is in accordance with Format 8 that is included in the Annex as an integral part of this Ministerial Regulation.

Article 40

- (1) In the event that the Employers of TKA have fulfilled their obligations, Dirjen stipulates the revocation of service postponement sanction or temporary suspension of TKA licensing process.
- (2) Form of Stipulation as referred to in section (1) is in accordance with Format 9 that is included in the Annex as an integral part of this Ministerial Regulation.

CHAPTER IX
TRANSITIONAL PROVISION

Article 41

At the time this Ministerial Regulation comes into force:

- a. RPTKA and Employment Permit that are already owned by the Employers of TKA that have been stipulated by the Government and Local Government before this Ministerial Regulation comes into force, are declared effective until the expiration of their validity period; or
- b. Employers of TKA that will extend the license of TKA utilization for the TKA who have worked and are still located in Indonesia, are required to pay DKP-TKA in accordance with the work location of TKA and the information on the DKP-TKA payment is submitted to the Director General of Immigration.

CHAPTER X
CLOSING PROVISION

Article 42

At the time this Ministerial Regulation comes into force:

- a. Regulation of the Minister of Manpower Number 16 of 2015 on Procedure for Foreign Workers Utilization (State Bulletin of the Republic of Indonesia of 2015 Number 964); and

- b. Regulation of the Minister of Manpower Number 35 of 2015 on Amendment to Regulation of the Minister of Manpower Number 16 of 2015 on Procedure for Foreign Workers Utilization (State Bulletin of the Republic of Indonesia of 2015 Number 1599);
are repealed and declared ineffective.

Article 43

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

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

Issued in Jakarta
on 11 July 2018

MINISTER OF MANPOWER
OF THE REPUBLIC OF INDONESIA,

Signed

M. HANIF DHAKIRI

Promulgated in Jakarta
on 11 July 2018

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

Signed

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2018 NUMBER 882

Jakarta, 12 October 2018

Has been translated as an Official Translation
on behalf of Minister of Law and Human Rights
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,


WIDODO EKATJAHJANA

ANNEX OF
REGULATION OF THE MINISTER OF MANPOWER
OF THE REPUBLIC OF INDONESIA
NUMBER 10 OF 2018
ON
FOREIGN WORKERS UTILIZATION PROCEDURE

LIST OF ANNEX

1. FORMAT 1 : a. Draft Employment agreement;
b. Statement Letter of the Employer of Foreign Workers.
2. FORMAT 2 : a. RPTKA Legalization;
b. Annex of RPTKA Legalization.
3. FORMAT 3 : a. RPTKA Amendment Legalization;
b. Annex of RPTKA Amendment Legalization.
4. FORMAT 4 : Statement Letter of the Guarantor of TKA.
5. FORMAT 5 : Notification.
6. FORMAT 6 : Reminder Letter of DKP-TKA Payment.
7. FORMAT 7 : a. TKA Utilization Report;
b. Implementation Report of the Education and Training of Counterpart;
c. End of TKA Utilization Report.
8. FORMAT 8 : a. Stipulation of Service Postponement;
b. Stipulation of the Temporary Suspension of TKA Licensing Process;
c. Stipulation of Notification Revocation.
9. FORMAT 9 : a. Stipulation of the Revocation of Service Postponement Sanction;
b. Stipulation of the Revocation of Temporary Suspension of TKA Licensing Process Sanction.

MINISTER OF MANPOWER OF
THE REPUBLIC OF INDONESIA,

Signed

M. HANIF DHAKIRI

FORMAT 1

a. EMPLOYMENT AGREEMENT DRAFT.

EMPLOYMENT AGREEMENT
FOREIGN WORKERS UTILIZATION
FOR CERTAIN POSITION AND CERTAIN PERIOD
NUMBER: .../SPK-.../...(month)/...(year)

On this day ... date ... (...) month ... (...) year ... (...) an employment agreement has been made and agreed upon between:

- I. Name :;
Address :;
Position :

in this case acting for and on behalf of(*name of the Employer of TKA*), hereinafter referred to as the FIRST PARTY.

- II. Name of Foreign Worker :;
Place/Date of Birth :;
Address :;
Passport Number :

in this case acting for and on behalf of his or her own self, hereinafter referred to as the SECOND PARTY.

Both parties agree to bind themselves in an Employment agreement for a definite period of time with the following provisions:

Article 1

The FIRST PARTY accepts and employs the SECOND PARTY as:

- a. Status : Employee with Definite Term Employment agreement (*Perjanjian Kerja Waktu Tertentu, PKWT*) status in(*Name of Employer of TKA*)
b. Position :
c. PKWT Period : from the date ... until the date ...
d. Work Unit :

Article 2

- (1) The SECOND PARTY agrees to accept and perform the duties and responsibilities as well as other duties given by the FIRST PARTY as well as possible with responsibility.

- (2) The SECOND PARTY agrees to comply with and carry out all provisions that have been regulated in the Code of Conduct and Rules for Employees as well as other provisions that become the Decision of Board of Directors and Management.
- (3) The SECOND PARTY agrees to keep and maintain the confidentiality of documents and information that belong to the FIRST PARTY and it is not justified to share the document or information orally or in writing to other parties.
- (4) Work hours of the SECOND PARTY:
 - a. for 6 (six) work days in 1 (one) week, 7 (seven) hours in 1 (one) day, and 40 (forty) hours in 1 (one) week; or
 - b. for 5 (five) work days in 1 (one) week, 8 (eight) hours in 1 (one) day, and 40 (forty) hours in 1 (one) week.
- (5) The SECOND PARTY agrees to work beyond the time that have been specified if required by the FIRST PARTY and implemented in accordance with the provisions of the law.
- (6) The SECOND PARTY is required to attend/go to work within as well as outside the work hours unless there is an appropriate reason and obtain a written permission from the Project Site Manager.
- (7) The SECOND PARTY is required to wear Health, Safety, and Environment (K3L) equipments when performing his or her duties.
- (8) The SECOND PARTY agrees to be placed in any location if at any time he or she is assigned by the Company.
- (9) The SECOND PARTY is fully responsible for the work equipments of the FIRST PARTY and is required to maintain them as well as possible.

Article 3

- (1) The SECOND PARTY is entitled to monthly wage/salary of (Rp.../US\$...) from the FIRST PARTY and it is implemented in accordance with the provisions of the legislation.
- (2) The SECOND PARTY is entitled to an insurance policy in an Indonesian legally incorporated insurance company for TKA who works for less than 6 (six) months and/or become the member of National Social Security program for TKA who works for more than 6 (six) months.

Article 4

The FIRST PARTY is required to pay wage/salary to the SECOND PARTY and enroll the SECOND PARTY in National Social Security program for Foreign

Worker (TKA) who works for more than 6 (six) months and/or insurance policy in an Indonesian legally incorporated insurance company as referred to in Article 3.

Article 5

The SECOND PARTY is required to return all work facilities that belong to the FIRST PARTY in a good condition and complete all responsibilities carried by the SECOND PARTY to the FIRST PARTY at the end of work period or the end of employment relationship.

Article 6

- (1) This Employment agreement is made and signed by both parties without any influence and or coercion from anybody and it binds both parties to comply with and perform it with full responsibility.
- (2) In case in the future there are provisions in this Employment agreement that contradict with the Manpower Regulations of the Republic of Indonesia and/or the development of(*Name of Company*)'s regulation, there will be a review and adjustment to the agreement of both parties.
- (3) This Employment agreement is made and signed by both parties in...on the date...., month...., and year....as mentioned above in 2 (two) copies that have equal legal power and kept by each party.
- (4) This Employment agreement comes into force since the date...until the date....

FIRST PARTY,
....., (*Name of Employer of TKA*)

SECOND PARTY,

.....
Director

.....
Foreign Worker

b. Statement Letter of the Employer of Foreign Workers.

(LETTERHEAD OF THE EMPLOYER OF TKA)

STATEMENT LETTER

The undersigned below:

Name :

Position :

Address :

Hereby declare that we comply with the provisions of the law in:

- a. employing Foreign Workers (TKA) in accordance with the provisions of the legislation;
- b. appointing and assigning the employees of our company as counterpart who will assist the TKA whom we employ in accordance with the provisions of the legislation;
- c. conduct education and training of counterpart for the purpose of transfer of technology and to obtain the expertise that is in accordance with the qualifications of the positions that are held by TKA; and
- d. facilitate the implementation of Indonesian Language training for the TKA whom we employ.

In case in the future we violate the provisions in Law Number 13 of 2003 on Manpower, Presidential Regulation Number 20 of 2018 on Foreign Workers Utilization and Regulation of the Minister of Manpower Number ... of 2018 on Foreign Workers Utilization Procedure, our company is ready to be sanctioned in accordance with the provisions of the legislation.

Thus this statement letter is made to be used properly.

... (*place*), ... (*date-month-year*)

Chairman,

Stamp/sign

Rp6.000,00 Stamp

(.....)

FORMAT 2

a. RPTKA Legalization.

MINISTRY OF MANPOWER OF THE REPUBLIC OF INDONESIA

DECISION OF DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY EXPANSION
NUMBER KEP. .../PPTK/PTA/20.....

ON
LEGALIZATION OF FOREIGN WORKERS UTILIZATION PLAN
IN(name of the Employer of TKA)

BY THE BLESSINGS OF ALMIGHTY GOD

DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY EXPANSION,

Considering : a. that based on the letter of(name of the Employer of TKA) Number
dated..... concerning the Application of Foreign Workers Utilization Plan
.....(type of RPTKA);
b. that in order to.....(reason for TKA Utilization), Employer of TKA submitted an
application of Foreign Workers Utilization Plan(type of RPTKA);
c. that after a verification and appropriateness assessment on the completeness of
requirements were conducted, the application of Foreign Workers Utilization Plan
could be considered to be legalized;
d. that based on the considerations in point a, point b, and point c, it is necessary to
stipulate with the Decision of the Director General of Labour Placement
Development and Employment Opportunity Expansion;

Observing : 1. 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);
2. Presidential Regulation Number 20 of 2018 on Foreign Workers Utilization (State
Gazette of the Republic of Indonesia of 2018 Number 39);
3. Regulation of the Minister of Manpower Number ... of 2018 on Foreign Workers
Utilization Procedure (State Bulletin of the Republic of Indonesia of 2018 Number ...);

HAS DECIDED:

To stipulate :

FIRST : Legalize the Foreign Workers Utilization Plan(type of RPTKA); in.....(name of
Employer of TKA) for(time period of month/year) starting from(month-
year until month-year) for(number of positions) position(s) that can be used as
the basis for Notification application.

SECOND : Employer of TKA is required to appoint an Indonesian Worker as the Counterpart in
the position(s) stipulated in Foreign Workers Utilization Plan.

THIRD : Employer of TKA is required to report annually to the Minister concerning the
implementation of TKA utilization, implementation of education and training of
Counterpart and the end of TKA utilization to the Director General of Labour
Placement Development and Employment Opportunity Expansion *cq.* Director of
Control of Foreign Workers Utilization through online method.

FOURTH : This Decision of the Director General of Labour Placement Development and
Employment Opportunity Expansion comes into force at the date of its stipulation.

Stipulated in Jakarta
on ...

Director General of
Labour Placement Development and
Employment Opportunity Expansion

.....
NIP.

Copies:

- 1. Minister of Manpower;
- 2. Director General of Labour Inspection Development and Occupational Safety and Health;
- 3. Head of Manpower Office of Province/Regency/Municipality of.....

b. Annex of RPTKA Legalization.

ANNEX OF DECISION OF DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY
EXPANSION

NUMBER KEP. .../PPTK/PTA/20.....

ON

LEGALIZATION OF FOREIGN WORKERS UTILIZATION PLAN

IN(name of the Employer of TKA)

Name of the Employer of TKA:
Address :
Phone/Faximile :
Type of Business :

NO.	NAME OF POSITION	NUMBER OF TKA EMPLOYED BASED ON TKA UTILIZATION YEAR					INFORMATION
		20...	20...	20...	20...	20...	
1 .							1 . RPTKA Legalization Number
2 .							2 . Location Placement of TKA
3 .							a.
4 .							b.
5 .							c.
6 .							d.
7 .							e.
8 .							3 . Approved TKA Utilization:
9 .							a. number of TKA :.....
10 .							b. valid on :.....
11 .							4 . Number of Indonesian Workers Employed by Employer of TKA: workers
12 .							5 . Number of Counterpart : workers
13 .							6 . Salary of TKA : (Rp... / US\$...) /month
TOTAL :							
Indonesian Workers Absorption Plan							

Jakarta,

Director General of
Labour Placement Development and
Employment Opportunity Expansion

.....
NIP. :

Copies:

- 1 . Minister of Manpower;
- 2 . Director General of Labour Inspection Development and Occupational Safety and Health;
- 3 . Head of Manpower Office of (Province/Regency/Municipality of)

FORMAT 3

a. RPTKA Amendment Legalization.

MINISTRY OF MANPOWER OF THE REPUBLIC OF INDONESIA

DECISION OF DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY EXPANSION
NUMBER KEP. .../PPTK/PTA/20.....

ON
LEGALIZATION OF FOREIGN WORKERS UTILIZATION PLAN AMENDMENT
IN(*name of the Employer of TKA*)

BY THE BLESSINGS OF ALMIGHTY GOD

DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY EXPANSION,

- Considering : a. that based on the letter(*name of the Employer of TKA*) Number dated concerning the Application of Foreign Workers Utilization Plan Amendment(*type of RPTKA*);
- b. that in order to.....(*reason for TKA Utilization*), the Employer of TKA submitted an application of Foreign Workers Utilization Plan Amendment(*type of RPTKA*);
- c. that after a verification and appropriateness assessment on the completeness of requirements were conducted, the application of Foreign Workers Utilization Plan Amendment could be considered to be legalized;
- d. that based on the considerations in point a and point b, it is necessary to stipulate with the Decision of the Director General of Labour Placement Development and Employment Opportunity Expansion;
- Observing : 1. Law Number 13 of 2003 on Manpower (State Gazette of the Republic of Indonesia Number 39, Supplement to the State Gazette of the Republic of Indonesia Number 4279);
2. Presidential Regulation Number 20 of 2018 on Foreign Workers Utilization (State Gazette of the Republic of Indonesia Number 39);
3. *Regulation of the Minister of Manpower Number ... of 2018 on Foreign Workers Utilization Procedure (State Bulletin of the Republic of Indonesia of 2018 Number ...)*;

HAS DECIDED:

- To stipulate :
- FIRST : Legalize the Foreign Workers Utilization Plan Amendment(*type of RPTKA*); in.....(*name of Employer of TKA*) for(*time period of month/year*) starting from(*month-year until month-year*) for(*number of positions*) position(s) that can be used as the basis for Notification application.
- SECOND : Foreign Workers Utilization Plan Amendment include.....(*item of amendment*)
- THIRD : Employer of TKA is required to appoint an Indonesian Worker as the counterpart in the position(s) stipulated in Foreign Workers Utilization Plan Amendment.
- FOURTH : Employer of TKA is required to report annually to the Minister concerning the implementation of TKA utilization, implementation of education and training of Counterpart and the end of TKA utilization to the Director General of Labour Placement Development and Employment Opportunity Expansion cq. Director of Control of Foreign Workers Utilization through online method.
- FIFTH : At the time this Decision of Director General comes into force, the Decision of Director General of Labour Placement Development and Employment Opportunity Expansion Number KEP. .../PPTK/PTA/20..... on(*title of the previous RPTKA*), is revoked and declared invalid.
- SIXTH : This Decision of the Director General of Labour Placement Development and Employment Opportunity Expansion comes into force at the date of its stipulation.

Stipulated in Jakarta
on ...

Director General of
Labour Placement Development and
Employment Opportunity Expansion

.....
NIP. :

Copies:

1. Minister of Manpower;
2. Director General of Labour Inspection Development and Occupational Safety and Health;
3. Head of Manpower Office of (*Province/Regency/Municipality of..*)

b. Annex of RPTKA Amendment Legalization.

ANNEX OF DECISION OF DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY
EXPANSION

NUMBER KEP. .../PPTK/PTA/20.....

ON

LEGALIZATION OF FOREIGN WORKERS UTILIZATION PLAN AMENDMENT

IN(name of the Employer of TKA)

Name of the Employer of TKA :

Address :

Phone / Faximile :

Type of Business :

NO.	NAME OF POSITION	NUMBER OF TKA EMPLOYED BASED ON TKA UTILIZATION YEAR					INFORMATION
		20...	20...	20...	20...	20...	
1 .							1 . RPTKA Amendment Legalization Number
2 .							2 . Location Placement of TKA
3 .							a.
4 .							b.
5 .							c.
6 .							d.
7 .							e.
8 .							3 . Approved TKA Utilization
9 .							a. number of TKA :
10 .							b. valid on :
11 .							4 . Number of Indonesian Workers Employed by Employer of TKA: workers
12 .							5 . Number of Counterpart : workers
13 .							6 . Salary of TKA: (Rp... / US\$...) /month
TOTAL :							
Indonesian Workers Absorption Plan							

Jakarta,

Director General of
Labour Placement Development and
Employment Opportunity Expansion

.....
NIP. :

Copies:

- 1 . Minister of Manpower;
- 2 . Director General of Labour Inspection Development and Occupational Safety and Health;
- 3 . Head of Manpower Office of (Province/Regency/Municipality of

FORMAT 4 – Statement Letter of the Guarantor of TKA.

APPLICATION LETTER AND GUARANTEE

Date :

Number:

- Item : Limited Stay Visa (Vitas) – Limited Stay Permit (Itas)
 Limited Stay Visa (Vitas) At the Time of Arrival
 Extension of Limited Stay Permit (Itas)
 Multiple position

To:

Director General of Immigration
Directorate General of Immigration Building
Jl. H.R. Rasuna Said X-6
- South Jakarta

I, the undersigned:

Name :
Gender : ○ Male ○ Female
Place/Date of Birth :
Position :
Nationality :
ID Card Number :
Address :
Phone Number :

Hereby submit the application as referred to in the letter for our Foreign Worker (TKA) candidate whose data is written below:

Name :
Place & Date of Birth :
Nationality :
Position/Occupation :
Passport Number :
Residential Address :
of TKA in Indonesia

As the Guarantor, I am fully responsible for:

1. Whereabouts and activities of the guaranteed Foreigner during his or her stay in the territory of Indonesia;
2. The obligation to report every change of civil status, immigration status and change of the TKA's residential address;
3. Guarantor is obligated to pay for the costs that arise to return or expel Foreigner:
 - a. whose stay permit period has expired; and/or
 - b. who is imposed by an immigration administrative action in the form of a deportation.

Thus this application and guarantee is made truthfully by me and the information written above is true.

Jakarta,

With respect,

.....(name of Employer of TKA)

FORMAT 5 – Notification.



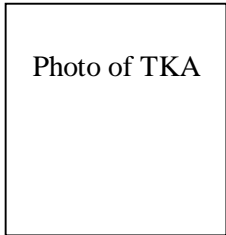
MINISTRY OF MANPOWER OF THE REPUBLIC OF INDONESIA
**DIRECTORATE GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND
EMPLOYMENT OPPORTUNITY EXPANSION**

Jalan Jenderal Gatot Subroto Kaveling 51, South Jakarta 12950,
Phone (021) 5250991, 525533 Ext. 700 Faximile (021) 5227588,
Website: <http://www.naker.go.id>

NOTIFICATION

I. Employer of TKA that will employ the TKA:

- 1. Name of Employer of TKA :
- 2. Address :
- 3. Phone Number :
- 4. E-mail :



II. TKA to be Employed:

- a. Name of TKA :
- b. Place / Date of Birth :
- c. Nationality :
- d. Passport Number :
- e. Position :

III. Work Location :

IV. Time Period of Notification :

V. DKP-TKA Payment Code :
DKP-TKA paid : US\$... (.....United States dollar)

DKP-TKA Payment can be done in Collecting Agents (Bank BNI, Bank Mandiri dan Bank BRI) by showing the DKP-TKA Payment Code.

The payment deadline is 1 (one) day since the Notification is issued. If the payment is not done, then the data will automatically be erased.

Jakarta, 20.....

on behalf of Director General of
Labour Placement Development and Employment
Opportunity Expansion,
Director of Control of Foreign Workers Utilization,



EXAMPLE

.....
NIP.

FORMAT 6 – Reminder Letter of DKP-TKA Payment.

REMINDER LETTER OF DKP-TKA PAYMENT

Jakarta,

Number :
Appendix :
Concerning : Written Reminder

To Employer of TKA,
.....(*Name of the Employer of TKA*)

In relation to the approaching due date of DKP-TKA payment for (*second and subsequent years*),(*Name of the Employer of TKA*) should immediately make DKP-TKA payment for:

- a. Name of TKA :
- b. Place/Date of Birth :
- c. Nationality :
- d. Passport Number :
- e. Position :

If the DKP-TKA is not paid until the due date (.....(*expiration date of current year Itas*)), there will be a sanction of Notification revocation and other sanctions in accordance with the provisions of the law.

Director General of
Labour Placement Development
and Employment Opportunity
Expansion

.....
NIP.

Copies:

- 1 . Ministry of Manpower;
- 2 . Director General of Labour Inspection Development and Occupational Safety and Health;
- 3 . Director General of Immigration;
- 4 . Head of Manpower Office of Province/Regency/Municipality of.....

FORMAT 7

a. TKA Utilization Report.

TKA UTILIZATION REPORT

Name of Employer of TKA :
 Headquarter/Branch/Division*) :
 Address :
 Phone/Faximile :
 e-mail :

To : Director General of Labour Placement Development and
 Employment Opportunity Expansion
 e-mail : pptka.contact@naker.go.id
 Concerning : TKA Utilization

NO.	NAME OF TKA	POSITION OF TKA IN THE COMPANY	COUNTRY OF ORIGIN OF TKA	GENDER (MALE/FEMALE)	DKP-TKA PAYMENT (US\$)	TKA WORK AREA			WORK NATURE OF TKA			DATE OF EMPLOYMENT		INFORMATION
						ACROSS PROVINCES	ONE PROVINCE	ONE REGENCY/MUNICIPALITY	EMERGENCY / URGENT	TEMPORARY	MORE THAN 6 (SIX) MONTHS	START	END	
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)
1 .														
2 .														
3 .														
so on														
TOTAL														

Report is submitted to the Director General of Labour Placement Development and Employment Opportunity Expansion at the latest on every January 10, 20....

.....,20.....
(Chairman)

.....
 (name and stamp)

*) cross the unnecessary ones

Note: the application of this form using Indonesian version

b. Implementation Report of Education and Training of Counterpart.

IMPLEMENTATION REPORT OF EDUCATION AND TRAINING OF COUNTERPART

Name of the Employer of TKA :..... To : Director General of Labour Placement Development and
 Headquarter/Branch/Division*) Employment Opportunity Expansion
 Address :..... e-mail : pptka.contact@naker.go.id
 Phone/Faximile :..... concerning : Implementation Report of Education and Training of
 e-mail :..... Counterpart

NO.	NAME OF TKA	POSITION OF TKA IN THE COMPANY	NAME OF COUNTERPART	ASSISTANCE IMPLEMENTATION		IMPLEMENTATION OF EDUCATION AND TRAINING OF COUNTERPART				
				CERTAIN TIME	ENTIRE WORK HOURS	WITHIN THE COUNTRY	OVERSEAS	DURATION OF EDUCATION AND TRAINING	EDUCATION AND TRAINING CERTIFICATES OR COMPETENCE CERTIFICATE FOR COUNTERPART	
									YES	NO
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
1 .										
2 .										
3 .										
so on										

Report is submitted to the Director General of Labour Placement Development and Employment Opportunity Expansion at the latest on every January 10, 20....

.....,20.....
(Chairman),

.....
 (name dan stamp)

*) cross the unnecessary ones

Note: the application of this form using Indonesian version

c. End of Foreign Workers Utilization Report.

END OF FOREIGN WORKERS UTILIZATION REPORT

Name of the Employer of TKA :.....
 Headquarter/Branch/Division*)
 Address :.....
 Phone/Faximile :.....
 e-mail :.....

To : Director General of Labour Placement Development
 and Employment Opportunity Expansion
 e-mail : pptka.contact@naker.go.id
 Concerning : End of Foreign Workers Utilization Report

NO.	NAME OF TKA	POSITION OF TKA IN THE COMPANY	COUNTRY OF ORIGIN OF TKA	RPTKA NUMBER	END DATE OF EMPLOYMENT AGREEMENT	INFORMATION
(a)	(b)	(c)	(d)	(e)	(f)	(g)
1 .						
2 .						
3 .						
so on						

Report is submitted to the Director General of Labour Placement Development and Employment Opportunity Expansion at the latest on every January 10, 20....

.....,20.....
(Chairman),

.....
 (name and stamp)

*) cross the unnecessary ones

Note: the application of this form using Indonesian version

FORMAT 8

a. Stipulation of Service Postponement

MINISTRY OF MANPOWER OF THE REPUBLIC OF INDONESIA

DECISION OF THE DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY EXPANSION
NUMBER KEP. .../PPTK/PTA/20.....
ON
SERVICE POSTPONEMENT

BY THE BLESSINGS OF ALMIGHTY GOD

DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY EXPANSION,

- Considering : a. that in order to implement the control of Foreign Workers (TKA) utilization and in order to enforce the norms of TKA utilization, it is necessary to impose the sanction of service postponement to(*Name of the Employer of TKA*);
b. that the sanction of service postponement is imposed on(*Name of the Employer of TKA*) due to the violation of in accordance with the provision(s) of Article ... of *Regulation of the Minister of Manpower Number ... of 2018 on Foreign Workers Utilization Procedure*;
c. that based on the result of manpower supervisor examination on(*Name of the Employer of TKA*);
d. that based on the considerations as referred to in point b and point c, therefore(*Name of the Employer of TKA*) has met the criteria to be imposed by the sanction of service postponement in accordance with Article...of *Regulation of the Minister of Manpower Number ... of 2018 on Foreign Workers Utilization Procedure*;
e. that based on the considerations as referred to in point a, point b, point c, and point d, it is necessary to stipulate Decision of Director General of Labour Placement Development and Employment Opportunity Expansion;
- Observing : 1. 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);
2. Presidential Regulation Number 20 of 2018 on Foreign Workers Utilization (State Gazette of the Republic of Indonesia of 2018 Number 39);
3. *Regulation of the Minister of Manpower Number ... of 2018 on Foreign Workers Utilization Procedure (State Bulletin of the Republic of Indonesia of 2018 Number ...)*;
- To stipulate : HAS DECIDED:
- FIRST : Impose the sanction of service postponement on(*Name of the Employer of TKA*) for maximum of 3 (three) months since the stipulation of this Director General Decision.
- SECOND : In service postponement period.....(*Name of the Employer of TKA*) is required to:
a.;
b.; and
c. and so on.
- THIRD :(*Name of the Employer of TKA*) is required to report to Director General of Labour Placement Development and Employment Opportunity Expansion concerning the implementation of obligations as referred to in the SECOND dictum.
- FOURTH : If the service postponement period is over and(*Name of the Employer of TKA*) does not fulfill the obligations as referred to in the SECOND dictum, then(*Name of the Employer of TKA*) will be included in the List of Problematic Employers of TKA.
- FIFTH : This Decision of Director General of Labour Placement Development and Employment Opportunity Expansion comes into force since the date of its stipulation.

Stipulated in Jakarta
on ...

Director General of
Labour Placement Development and
Employment Opportunity Expansion

.....
NIP. :

Copies:

1. Minister of Manpower;
2. Director General of Labour Inspection Development and Occupational Safety and Health;
3. Head of Manpower Office of Province/Regency/Municipality of..

b. Stipulation of the Temporary Suspension of Foreign Workers Licensing Process.
MINISTRY OF MANPOWER OF THE REPUBLIC OF INDONESIA

DECISION OF THE DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY EXPANSION
NUMBER KEP. .../PPTK/PTA/20.....

ON
TEMPORARY SUSPENSION OF FOREIGN WORKERS LICENSING PROCESS
TO(Name of the Employer of TKA)

BY THE BLESSINGS OF ALMIGHTY GOD

DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY EXPANSION,

- Considering : a. that in order to implement the control of Foreign Workers (TKA) utilization and in order to enforce the norms of TKA utilization, it is necessary to impose the sanction of the temporary suspension of TKA licensing process on(Name of the Employer of TKA);
- b. that the sanction of the temporary suspension of TKA licensing process is imposed(Name of the Employer of TKA) due to the violation of in accordance with the provision(s) of Article ... of Regulation of the Minister of Manpower Number ... of 2018 on Procedure of Foreign Workers Utilization;
- c. that based on the result of manpower supervisor examination on(Name of the Employer of TKA); *)
- d. that based on the considerations as referred to in point b and point c, therefore.....(Name of the Employer of TKA) has met the criteria to be imposed by the sanction of the temporary suspension of TKA licensing process in accordance with the provision(s) in Article ... of Regulation of the Minister of Manpower Number ... of 2018 on Foreign Workers Utilization Procedure;
- e. that based on the considerations in point a, point b, point c, and point d, it is necessary to stipulate the Decision of Director General of Labour Placement Development and Employment Opportunity Expansion;

- Observing : 1. Law Number 13 of 2003 on Manpower (State Gazette of the Republic of Indonesia Number 39, Supplement to the State Gazette of the Republic of Indonesia Number 4279);
2. Presidential Regulation Number 20 of 2018 on Foreign Workers Utilization (State Gazette of the Republic of Indonesia Number 39);
3. Regulation of the Minister of Manpower Number ... of 2018 on Foreign Workers Utilization Procedure (State Bulletin of the Republic of Indonesia of 2018 Number ...);

HAS DECIDED:

To stipulate :

FIRST : Impose the sanction of the temporary suspension of TKA licensing process on(Name of the Employer of TKA) for maximum of 3 (three) months since the stipulation of this Director General Decision.

SECOND : In the period of temporary suspension of TKA licensing process on(Name of the Employer of TKA) is required to:

a.;

b.; and

c.so on

THIRD :(Name of the Employer of TKA) is required to report to Director General of Labour Placement Development and Employment Opportunity Expansion concerning the implementation of obligations as referred to in the SECOND dictum.

FOURTH : If the period of temporary suspension of TKA licensing process is over and(Name of the Employer of TKA) does not fulfill the obligations as referred to in the SECOND dictum, then(Name of the Employer of TKA) will be included in the List of Problematic Employers of TKA.

FIFTH : This Decision of Director General of Labour Placement Development and Employment Opportunity Expansion comes into force since the date of its stipulation.

Stipulated in Jakarta
on ...

Director General of
Labour Placement Development and
Employment Opportunity Expansion

.....
NIP. :

Copies:

1. Minister of Manpower;
2. Director General of Labour Inspection Development and Occupational Safety and Health;
3. Head of Manpower Office of Province/Regency/Municipality of..

*) if necessary

c. Stipulation of the Revocation of Notification

MINISTRY OF MANPOWER OF THE REPUBLIC OF INDONESIA

DECISION OF THE DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY EXPANSION
NUMBER KEP. .../PPTK/PTA/20.....

ON
REVOCATION OF NOTIFICATION
TO(Name of the Employer of TKA)

BY THE BLESSINGS OF ALMIGHTY GOD

DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY EXPANSION,

- Considering :
- a. that(Name of the Employer of TKA) has received the Notification of Foreign Workers (TKA) utilization in the name of (TKA)(Name of TKA);
 - b. that the Employer of TKA in the utilization of TKA is required to pay DKP-TKA for each TKA who is employed;
 - c. that the Employer of TKA did not pay DKP-TKA until the due date for the subsequent year, therefore(Name of the Employer of TKA) has met the criteria to be imposed by the sanction of revocation of notification in accordance with Article 24 subsection (3) of Regulation of the Minister of Manpower Number ... of 2018 on Foreign Workers Utilization Procedure,
 - d. that based on the considerations in point a, point b, and point c, it is necessary to stipulate the Decision of Director General of Labour Placement Development and Employment Opportunity Expansion;

- Observing :
- 1. Law Number 13 of 2003 on Manpower (State Gazette of the Republic of Indonesia Number 39, Supplement to the State Gazette of the Republic of Indonesia Number 4279);
 - 2. Presidential Regulation Number 20 of 2018 on Foreign Workers Utilization (State Gazette of the Republic of Indonesia Number 39);
 - 3. Regulation of the Minister of Manpower Number ... of 2018 on Foreign Workers Utilization Procedure (State Bulletin of the Republic of Indonesia of 2018 Number ...)

HAS DECIDED:

To stipulate :

- FIRST :
- Sanction of the revocation of notification is imposed on(Name of the Employer of TKA) for:
- a. Name of TKA :
 - b. Place/Date of Birth :
 - c. Nationality :
 - d. Passport Number :
 - e. Position :

SECOND :

At the time this Decree of Director General of Labour Placement Development and Employment Opportunity Expansion comes into force, the Employer of TKA is required to repatriate the concerned TKA to his or her country of origin in accordance with the provisions of the legislation.

THIRD :

This Decision of Director General of Labour Placement Development and Employment Opportunity Expansion comes into force since the date of its stipulation.

Stipulated in Jakarta
on ...

Director General of
Labour Placement Development and
Employment Opportunity Expansion

.....
NIP. :

Copies:

- 1 . Ministry of Manpower;
- 2 . Director General of Labour Inspection Development and Occupational Safety and Health;
- 3 . Director General of Immigration;
- 4 . Head of Manpower Office of Province/Regency/Municipality of.....

FORMAT 9

a. Stipulation of the Revocation of Service Postponement Sanction

MINISTRY OF MANPOWER OF THE REPUBLIC OF INDONESIA

DECISION OF THE DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY EXPANSION
NUMBER KEP. .../PPTK/PTA/20.....
ON
REVOCATION OF SERVICE POSTPONEMENT
ON(*Name of the Employer of TKA*)

BY THE BLESSINGS OF ALMIGHTY GOD

DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY EXPANSION,

Considering : a. that(*Name of the Employer of TKA*) has been imposed by the sanction of service postponement with the Decision of Director General of Labour Placement Development and Employment Opportunity Expansion Number on dated;
b. that(*Name of the Employer of TKA*) has fulfilled their obligations as required in the Decision of Director General of Labour Placement Development and Employment Opportunity Expansion Number on dated;
c. that based on the considerations in point a and point b, it is necessary to stipulate the Decision of Director General of Labour Placement Development and Employment Opportunity Expansion;

Observing : 1. Law Number 13 of 2003 on Manpower (State Gazette of the Republic of Indonesia Number 39, Supplement to the State Gazette of the Republic of Indonesia Number 4279);
2. Presidential Regulation Number 20 of 2018 on Foreign Workers Utilization (State Gazette of the Republic of Indonesia Number 39);
3. *Regulation of the Minister of Manpower Number ... of 2018 on Foreign Workers Utilization Procedure (State Bulletin of the Republic of Indonesia of 2018 Number ...)*;

HAS DECIDED:

To stipulate :

FIRST : Revoke the Decision of Director General of Labour Placement Development and Employment Opportunity Expansion Number.....on.....dated.....

SECOND : With the revocation of the Decision of Director General of Labour Placement Development and Employment Opportunity Expansion Number....on....dated....as referred to in the FIRST dictum, therefore the TKA utilization licensing process of (*Name of the Employer of TKA*) can be served again.

THIRD : This Decision of Director General of Labour Placement Development and Employment Opportunity Expansion comes into force since the date of its stipulation.

Stipulated in Jakarta
on ...

Director General of
Labour Placement Development and
Employment Opportunity Expansion

.....
NIP. :

Copies:

- 1. Minister of Manpower;
- 2. Director General of Labour Inspection Development and Occupational Safety and Health;
- 3. Head of Manpower Office of Province/Regency/Municipality of..

- b. Stipulation of the Revocation of Temporary Suspension of TKA Licensing Process Sanction.

MINISTRY OF MANPOWER OF THE REPUBLIC OF INDONESIA

DECISION OF THE DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY EXPANSION
NUMBER KEP. .../PPTK/PTA/20.....

ON

REVOCATION OF TEMPORARY SUSPENSION OF FOREIGN WORKERS LICENSING PROCESS
ON.....(*Name of the Employer of TKA*)

BY THE BLESSINGS OF ALMIGHTY GOD

DIRECTOR GENERAL OF
LABOUR PLACEMENT DEVELOPMENT AND EMPLOYMENT OPPORTUNITY EXPANSION,

- Considering :
- a. that(*Name of the Employer of TKA*) has been imposed by the sanction of the temporary suspension of foreign workers licensing process with the Decision of Director General of Labour Placement Development and Employment Opportunity Expansion Number on dated
 - b. that(*Name of the Employer of TKA*) has fulfilled their obligations as required in the Decision of Director General of Labour Placement Development and Employment Opportunity Expansion Number on dated
 - c. that based on the considerations in point a and point b, it is necessary to stipulate the Decision of Director General of Labour Placement Development and Employment Opportunity Expansion;

- Observing :
- 1. Law Number 13 of 2003 on Manpower (State Gazette of the Republic of Indonesia Number 39, Supplement to the State Gazette of the Republic of Indonesia Number 4279);
 - 2. Presidential Regulation Number 20 of 2018 on Foreign Workers Utilization (State Gazette of the Republic of Indonesia Number 39);
 - 3. *Regulation of the Minister of Manpower Number ... of 2018 on Foreign Workers Utilization Procedure (State Bulletin of the Republic of Indonesia of 2018 Number ...)*

HAS DECIDED:

- To stipulate :
- FIRST : Revoke the Decision of Director General of Labour Placement Development and Employment Opportunity Expansion Number.....on.....dated.....
 - SECOND : With the revocation of the Decision of Director General of Labour Placement Development and Employment Opportunity Expansion Number....on....dated....as referred to in the FIRST dictum, therefore the licensing process of TKA of (*Name of the Employer of TKA*) can be carried out again.
 - THIRD : This Decision of Director General of Labour Placement Development and Employment Opportunity Expansion comes into force since the date of its stipulation.

Stipulated in Jakarta
on ...

Director General of
Labour Placement Development and
Employment Opportunity Expansion

.....
NIP. :

Copies:

- 1 . Minister of Manpower;
- 2 . Director General of Labour Inspection Development and Occupational Safety and Health;
- 3 . Head of Manpower Office of Province/Regency/Municipality of...