

REGULATION OF THE MINISTER OF EDUCATION AND CULTURE OF
THE REPUBLIC OF INDONESIA
NUMBER 10 OF 2021
ON
NORMS, STANDARDS, PROCEDURES AND CRITERIA FOR RISK-BASED
BUSINESS LICENSING FOR FORMAL EDUCATION UNITS IN SPECIAL
ECONOMIC ZONE

BY THE BLESSINGS OF ALMIGHTY GOD

MINISTER OF EDUCATION AND CULTURE OF THE REPUBLIC OF
INDONESIA,

Considering : that to implement provisions of Article 134 section (4) of Government Regulation Number 5 of 2021 on Administration of Risk-Based Business Licensing, it is necessary to issue a Regulation of the Minister of Education and Culture on Norms, Standards, Procedures, and Criteria for Risk-Based Business Licensing for Formal Education Units in Special Economic Zone;

Observing : 1. Article 17 section (3) of the 1945 Constitution of the Republic of Indonesia;

2. Law Number 39 of 2008 on State Ministries (State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to the State Gazette of the Republic of Indonesia Number 4916);

3. Government Regulation Number 5 of 2021 on Administration of Risk-Based Business Licensing (State Gazette of the Republic of Indonesia of 2021 Number 15, Supplement to the State Gazette of the Republic of Indonesia Number 6617);

4. Presidential Regulation Number 82 of 2019 on Ministry of Education and Culture (State Gazette of the Republic of Indonesia of 2019 Number 242);

5. Regulation of the Minister of Education and Culture Number 45 of 2019 on Organization and Work Procedures of the Ministry of Education and Culture (State Bulletin of the Republic of Indonesia of 2019 Number 1673) as amended by Regulation of the Minister of Education and Culture Number 9 of 2020 on Amendment to Regulation of the Minister of Education and Culture Number 45 of 2019 on Organization and Work Procedures of the Ministry of Education and Culture (State Bulletin of the Republic of Indonesia of 2020 Number 124);

HAS DECIDED:
 To issue: REGULATION OF THE MINISTER OF EDUCATION AND
 CULTURE ON NORMS, STANDARDS, PROCEDURES AND
 CRITERIA FOR RISK-BASED BUSINESS LICENSING FOR
 FORMAL EDUCATION UNITS IN SPECIAL ECONOMIC
 ZONE.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Ministerial Regulation:

1. Special Economic Zone hereinafter abbreviated as SEZ means a special economic zone as regulated in legislation in the field of special economic zone.
2. Higher Education Institution means an education unit that administers higher education.
3. Private Higher Education Institution means a Higher Education Institution established and/or administered by community.
4. Study Program means a unit of educational and learning activities that has certain curriculum and learning methods in one type of academic education, professional education, and/or vocational education.
5. Business Licensing means the legality given to a Foreign Higher Education Institution and a Private Higher Education Institution to start and run their business and/or activities.
6. Risk-Based Business Licensing means Business Licensing based on the level of risk of business activities.
7. Risk means the potential for injury or loss from a hazard or a combination of the possibility and consequences of a hazard.
8. Electronic Integrated Business Licensing System (Online Single Submission) hereinafter referred to as the OSS System means an integrated electronic system managed and administered by the OSS Institution for the administration of Risk-Based Business Licensing.
9. OSS Organizing and Administering Institution hereinafter referred to as OSS Institution means a government Institution that administers government affairs in the field of investment coordination.
10. Business Identification Number hereinafter abbreviated as BIN means a proof of registration of a foreign Higher Education Institution and a Private Higher Education Institution to conduct business activities and as an identity for the foreign Higher Education Institution and the Private Higher Education Institution in carrying out their business activities.
11. Higher Education means the level of education after secondary education which includes diploma programs, undergraduate programs, master programs, doctoral programs, and professional programs, as well

as specialist programs, administered by Higher Education Institution based on the culture of Indonesian nation.

12. Minister means the minister who administers government affairs in the field of education.
13. License means the Minister's approval for the implementation of business activities that is required to be fulfilled by a foreign Higher Education Institution and a Private Higher Education Institution before administering Higher Education in SEZ.
14. Special Economic Zone Administrator hereinafter referred to as SEZ Administrator means a work unit in charge of administering Business Licensing, other licensing, services, and supervision in SEZ.
15. Ministry means the ministry that administers government affairs in the field of education.

CHAPTER II BUSINESS LICENSING OF FORMAL EDUCATION UNITS IN SPECIAL ECONOMIC ZONE

Part One Administration of Formal Education Units

Article 2

- (1) The administration of formal education units in SEZ is in the form of the administration of Higher Education.
- (2) The administration of Higher Education as referred to in section (1) includes:
 - a. establishment of a foreign Higher Education Institution; and
 - b. launch of Study Programs.
- (3) Determination of formal education units to be administered in SEZ as referred to in section (1) is based on the consideration of the SEZ National Council.

Part Two Risk-Based Business Licensing

Article 3

- (1) A foreign Higher Education Institution and a Private Higher Education Institution that will administer Higher Education in SEZ as referred to in Article 2 section (2) are required to obtain a Risk-Based Business Licensing.
- (2) Risk-Based Business Licensing as referred to in section (1) is carried out based on the determination of the risk level of business activities by the Ministry.
- (3) The determination of the level of Risk as referred to in section (2) is carried out based on the results of the Risk analysis of business activities.
- (4) Based on the results of the Risk analysis of business activities as referred to in section (3), the administration of Higher Education in SEZ is

determined as a business activity with a high-Risk level.

- (5) Business Licensing for business activities with a high-Risk level as referred to in section (4) is in the form of:
 - a. BIN; and
 - b. License.

Article 4

Risk-Based Business Licensing in the administration of higher education as referred to in Article 3 is carried out by referring to the norms, standards, procedures, and criteria for Risk-Based Business Licensing in accordance with the provisions of this Ministerial Regulation.

CHAPTER III

NORMS, STANDARDS, PROCEDURES, AND CRITERIA FOR RISK-BASED BUSINESS LICENSING OF ESTABLISHMENT OF FOREIGN HIGHER EDUCATION INSTITUTIONS

Article 5

- (1) The establishment of a foreign Higher Education Institution as referred to in Article 2 section (2) point a is organized in the form of:
 - a. university;
 - b. institute;
 - c. college;
 - d. polytechnic; or
 - e. academy.
- (2) The establishment of a foreign Higher Education Institution as referred to in section (1) is organized through the establishment of branch campus of the foreign Higher Education Institution in SEZ.

Article 6

- (1) A foreign Higher Education Institution in establishing a foreign Higher Education Institution as referred to in Article 5 must have BIN and License as referred to in Article 3 section (5).
- (2) BIN and License as referred to in section (1) constitute a Business Licensing for the foreign Higher Education Institution to carry out operational activities for the administration of a Higher Education Institution in SEZ.
- (3) The License as referred to in section (2) is granted by the Minister through the SEZ Administrator.
- (4) The procedures for having BIN and License as referred to in section (2) are carried out through the OSS System service in accordance with the provisions of legislation.

Article 7

- (1) Standards for the establishment of a foreign Higher Education Institution in SEZ at least include:
 - a. the same administration quality as the home country's Higher Education Institution;
 - b. the same curriculum as the curriculum of the home country's Higher Education Institution with

the addition of national curriculum that includes the following subjects:

1. religious studies;
 2. Indonesian Language;
 3. Pancasila; and
 4. civics.
- c. the same qualifications of graduates of the foreign Higher Education Institution as those of graduates of the home country's Higher Education Institution;
 - d. the same diploma, title, diploma supplement and transcript issued by a foreign Higher Education Institution as those issued by the home country's Higher Education Institution;
 - e. students of the Foreign Higher Education Institution that are registered in the student database of the home country's Higher Education Institution;
 - f. the integrated student database with the student database of the home country's Higher Education Institution; and
 - g. the equivalent quality of lecture infrastructure and facilities of foreign Higher Education Institution to those of lecture infrastructure and facilities of the home country's Higher Education Institution.
- (2) The national curriculum as referred to in section (1) point b is intended for:
- a. undergraduate and applied undergraduate programs as an integrated part of the curriculum; and
 - b. Indonesian students.

Article 8

The establishment of a foreign Higher Education Institution in SEZ is carried out through the following procedures:

- a. foreign Higher Education Institution forms a legal entity with non-profit principles in accordance with the provisions of legislation;
- b. the legal entity as referred to in point a conducts Business Licensing registration through the OSS System to obtain a BIN;
- c. after obtaining BIN as referred to in point b, the legal entity submits an application for License to establish a foreign Higher Education Institution in SEZ to the Ministry through OSS System;
- d. the application for the License as referred to in point c is attached by required documents as follow:
 1. copy of validation of the legal entity;
 2. organization chart of branch campuses;
 3. organization chart of home country's higher education institution;
 4. documents confirming the curriculum of the study programs proposed;
 5. list of lecturers and administrative staff as well as their qualification and nationality;

6. list of lecture infrastructure and facilities;
7. documents confirming the development plan of the branch campus which contain at least:
 - a) feasibility study; and
 - b) campus design;
- e. required documents as referred to in point d are uploaded through the OSS System;
- f. Directorate general in charge of academic and vocational higher education verifies required documents as referred to in point e not later than 5 (five) workdays after receiving the application;
- g. Directorate general in charge of academic and vocational higher education delivers the verification result of complete and required documents to SEZ Administrator not later than 5 (five) workdays;
- h. SEZ Administrator gives consideration not later than 3 (three) workdays after receiving the required documents.
- i. Minister grants license after receiving consideration from SEZ Administrator; and
- j. License as referred to in point i is granted through SEZ Administrator.

Article 9

- (1) Criteria of a foreign Higher Education Institution that can be established in SEZ are that:
 - a. it is included in the 100 (one hundred) best global ranking and recognized by the Ministry; and
 - b. it is accredited and/or recognized in their home country.
- (2) Determination of the 100 (one hundred) best global ranking as referred to in section (1) point a is carried out based on:
 - a. Higher Education Institution; or
 - b. subjects.
- (3) Foreign Higher Education Institution which does not meet the criteria as referred to in section (1) point a can propose an application for establishment of the foreign Higher Education Institution in SEZ based on the Minister's invitation.
- (4) Minister's invitation as referred to in section (3) is one of required documents which must be fulfilled in the procedures for application of a License to establish a foreign Higher Education Institution in addition to other required documents as referred to in Article 8 point d.

Article 10

- (1) Requirements for the Establishment of a foreign Higher Education Institution include:
 - a. having the same name as the home country's Higher Education Institution;
 - b. administering at least 2 (two) Study Programs in the fields of science, technology, engineering, and mathematics for graduate degree, master degree,

- doctoral degree, applied graduate, applied master, or applied doctoral degree;
 - c. having Indonesian lecturers and/or foreign lecturers; and
 - d. having Indonesian administrative staff and/or foreign administrative staff with the same competence as administrative staff in the home country's Higher Education Institution.
- (2) Indonesian lecturers and/or foreign lecturers as referred to in section (1) point c have the following qualifications:
- a. at least equivalent academic position to assistant professor; and
 - b. the same minimal competence as lecturers in home country's Education Institution.

Article 11

Foreign Higher Education Institution in SEZ reports the administration of Higher Education through higher education databases.

CHAPTER IV

NORMS, STANDARDS, PROCEDURES, AND CRITERIA FOR LAUNCH OF STUDY PROGRAMS

Part One

General

Article 12

The launch of Study Programs as referred in Article 2 section (2) point b is carried out by:

- a. a foreign Higher Education Institution; and/or
- b. a Private Higher Education Institution.

Part Two

Launch of Study Programs in Foreign Higher Education Institution

Article 13

Standards for the administration of Study Programs by a Foreign Higher Education Institution are carried out in accordance with national standards for higher education based on the provisions of legislation.

Article 14

- (1) Procedures for the launch of Study Programs in a foreign Higher Education Institution as referred to in Article 12 point a include:
- a. foreign Higher Education Institution which has obtained establishment License from the Minister submits an application for the launch of Study Programs to the Minister through OSS;
 - b. The application as referred to in point a is attached with the following required documents consisting of:
 - 1. copy of validation of the legal entity;

2. curriculum documents for the proposed study programs;
 3. a list of lecturers and administrative staff at the proposed study program; and
 4. a list of lecture infrastructure and facilities.
- (2) Provisions on procedures for establishment of a foreign Higher Education Institution as referred to in Article 8 point e to point j apply mutatis mutandis to procedures for launch of study programs of a foreign Higher Education Institution.

Article 15

Criteria to launch study programs by a foreign Higher Education Institution at least include:

- a. the proposed Study Programs have existed in the home country's Higher Education institution; and
- b. the study Programs are accredited and/or approved in the home country's Higher Education Institution.

Part Three

Launch of Study Programs in Private Higher Education Institutions

Article 16

The administration standards of study programs in a Private Higher Education Institution are carried out in accordance with national standards for higher education based on the provisions of legislation.

Article 17

- (1) Provisions regarding procedures for establishment of a Foreign Higher Education Institution as referred to in Article 8 point e to point j apply mutatis mutandis to procedures for launch of Study Programs in a Private Higher Education Institution.
- (2) Requirements for launch of Study Programs in a Private Higher Education Institution conform with Ministerial Regulation on establishment of a Private Higher Education Institution.

Article 18

Criteria to launch Study Programs by a Private Higher Education Institution at least include:

- a. the Private Higher Education institution falls under the Ministry;
- b. Study Programs have earned excellent accreditation; and
- c. Study Programs are administered outside of main campus.

Article 19

Procedures for launch of study programs outside of main campus for a Public Higher Education Institution in SEZ are in accordance with provisions of legislation on establishment, change and dissolution of a public Higher Education Institution.

CHAPTER V
CLOSING PROVISIONS

Article 20

At the time this Ministerial Regulation comes into force, the implementation of Risk-Based Business Licensing for administration of Higher Education in SEZ as regulated in this Ministerial Regulation is effective since the Business Licensing process is entirely carried out throughout the OSS System as regulated in Government Regulation Number 5 of 2021 on Administration of Risk-Based Business Licensing.

Article 21

At the time this Ministerial Regulation comes into force, the provisions for the establishment of a foreign Higher Education Institution in SEZ as regulated in Regulation of the Minister of Research, Technology, and Higher Education Number 53 of 2018 on Foreign Higher Education Institutions (State Bulletin of the Republic of Indonesia of 2018 Number 1499) are repealed and declared ineffective.

Article 22

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 31 March 2021

MINISTER OF EDUCATION AND
CULTURE OF THE REPUBLIC OF
INDONESIA,

signed

NADIEM ANWAR MAKARIM

Promulgated in Jakarta
on 10 April 2021

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

signed

WIDODO EKATJAHJANA

STATE BULLETIN OF THE REPUBLIC OF INDONESIA OF 2021 NUMBER 325

Jakarta, 18 September 2025
Has been translated as an Official Translation
on behalf of the Minister of Law
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,



DIAHAN PUTRA