

REGULATION OF THE GOVERNMENT OF THE REPUBLIC OF INDONESIA
NUMBER 22 OF 2022
ON
PLACEMENT AND PROTECTION OF MIGRANT COMMERCIAL VESSEL CREWS
AND MIGRANT FISHING VESSEL CREWS

BY THE BLESSINGS OF ALMIGHTY GOD

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering : that in order to implement the provisions of Article 64 of Law Number 18 of 2017 on Protection of Indonesian Migrant Workers, it is necessary to issue a Government Regulation on Placement and Protection of Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews;

Observing : 1. Article 5 section (2) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 18 of 2017 on Protection of Indonesian Migrant Workers (State Gazette of the Republic of Indonesia of 2017 Number 242, Supplement to the State Gazette of the Republic of Indonesia Number 6141);

HAS DECIDED:

To issue : GOVERNMENT REGULATION ON PLACEMENT AND PROTECTION OF MIGRANT COMMERCIAL VESSEL CREWS AND MIGRANT FISHING VESSEL CREWS.

CHAPTER I
GENERAL PROVISIONS

In this Government Regulation:

1. Placement of Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews means a service activity to meet the vessel crews with the competence or expertise and skills as required by the Employers or Principals.
2. Protection of Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews means all efforts to protect the interests of prospective vessel crews and/or vessel crews and their families in realizing the guarantee of fulfilling their rights in all activities before, during, and after work in legal, economic and social aspect.
3. Work Visa means a written permit that is given by an

- authorized official of a destination country that contains the approval to enter and work in the designated country.
4. Indonesian Migrant Licenses of Indonesian Migrant Workers Placement Agency, (*Surat Izin Perusahaan Penempatan Pekerja Migran Indonesia*), hereinafter referred to as SIP3MI, means a written permit that is given by the Minister to a legally incorporated business entity in Indonesia that will become an Indonesian Migrant Workers Placement Agency.
 5. Licenses of Indonesian Migrant Workers Recruitment, (*Surat Izin Perekrutan Pekerja Migran Indonesia*), hereinafter referred to as SIP2MI, means a written permit that is given by the Head of Board to Indonesian Migrant Worker Placement Agency that is used to place prospective Indonesian Migrant Workers
 6. Seaman's Book means an identity book for vessel crews issued by the ministry administering government affairs in transportation sector, that is not a travel document for vessel crews and cannot replace a passport.
 7. Indonesian Migrant Worker Placement Agreement, hereinafter referred to as Placement Agreement means a written agreement between operator of Indonesian Migrant Workers placement and Prospective Indonesian Migrant Worker that contains the rights and the obligations of each party, in the placement of Indonesian Migrant Worker in the destination country in accordance with the legislation.
 8. Seafarers' Employment Agreement (*Perjanjian Kerja Laut*), hereinafter referred to as PKL, means an individual employment contract made and signed between the vessel crew and a party acting for and on behalf of the employer or Principal which contains the rights and obligations of the parties and authorized by the harbor master.
 9. Collective Labor Agreement (*Kesepakatan Kerja Bersama*), hereinafter referred to as KKB, means a collective agreement made and signed by sea transportation companies, Employers, and/or Principals with trade unions or labor unions of the Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews which contain the rights and obligations of the parties.
 10. Social Security means one of the social protection forms to ensure that all citizens can fulfill their basic needs appropriately.
 11. Foreign-flag vessel means vessel with a flag other than Indonesian flag and is not recorded under Indonesia's ship registry.
 12. Minister means the minister administering government affairs in manpower sector.
 13. Indonesian Migrant Workers Protection Board (*Badan Pelindungan Pekerja Migran Indonesia*), hereinafter referred to as BP2MI, means a non-ministerial government institution that serves as policy implementer in the service and protection of Indonesian Migrant Workers in an integrated manner.
 14. Indonesian Missions Abroad, hereinafter referred to as Indonesian Missions, mean the diplomatic and consular representatives of the Republic of Indonesia who officially

- represents and strives for the entire interests of nation, country, and government of the Republic of Indonesia in the destination country or in international organization.
15. Provincial Office means an authority administering provincial government affairs in manpower sector.
 16. Regency/Municipal Office means an authority administering regency/municipal government affairs in manpower sector.
 17. One-Stop Service for Placement and Protection of Indonesian Migrant Workers (*Layanan Terpadu Satu Atap Penempatan dan Perlindungan Pekerja Migran Indonesia*), hereinafter referred to as Indonesian Migrant Workers' LTSA, means a service system for information dissemination, requirements fulfillment, and problems settlement of Indonesian Migrant Workers and/or prospective Indonesian Migrant Workers that is integrated in a cheap, simple, and fast public services without any discrimination.
 18. Employer means a government institution, a government legal entity, a private legal entity, and/or individual in the destination country that employs Indonesian Migrant Workers.
 19. Principal means service users of Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews who has position as vessel owner or vessel operator who employs Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews.
 20. Indonesian Migrant Workers Placement Agency, (*Perusahaan Penempatan Pekerja Migran Indonesia*), hereinafter referred to as P3MI, means a business entity that is legally incorporated as a limited liability company that has obtained a written permit from the Minister to operate the placement service of Indonesian Migrant Workers.
 21. Indonesian Migrant Worker means any Indonesian citizen who will work, currently works, or has done a work for wage outside the territory of the Republic of Indonesia.
 22. Migrant Commercial Vessel Crew means an Indonesian Migrant Worker who works or being employed on Foreign-F lag Commercial Vessel by the vessels' owners or operators to carry out tasks on board according to their positions stated in the vessel's logbook.
 23. Migrant Fishing Vessel Crew means an Indonesian Migrant Worker who works or being employed on a Foreign-flag Fishing Vessel by the vessel's owner or operator to carry out tasks on board according to their position stated in the vessel's logbook.

Article 2

This Government Regulation regulates Placement and Protection of Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews.

Article 3

- (1) This Government Regulation applies to:

- a. operator of placement;
 - b. Migrant Commercial Vessel Crew; and
 - c. Migrant Fishing Vessel Crew.
- (2) Operator of placement as referred to in section (1) consist of:
- a. BP2MI;
 - b. P3MI; and
 - c. companies that place vessel crew for the company's own interests.
- (3) Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews as referred to in section (1) point b and point c may work individually.
- (4) Migrant Fishing Vessel Crews who work individually as referred to in section (3) are prohibited from working for individual Employers or Principals.
- (5) Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews who work individually as referred to in section (3) then the risk of employment becomes their own responsibility.
- (6) Responsibilities arising from the employment relationship between Migrant Commercial Vessel Crews or Migrant Fishing Vessel Crews who work individually as referred to in section (3) and section (5) and Employers or Principals are carried out in accordance with PKL.

Article 4

Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews who work individually as referred to in Article 3 section (3) must report:

- a. departure plan via online or offline to the Regency/Municipal Office or LTSA of Indonesian Migrant Workers, by attaching:
 - 1. passport;
 - 2. Seafarer's Book;
 - 3. PKL;
 - 4. proof of participation in the Social Security program;
 - 5. health certificate based on medical and psychological examination;
 - 6. Work Visa;
 - 7. seafarer's identity document; and
 - 8. work competency certificates, seafarer skills certificates, and/or seafarer skills certificates.
- b. arrival to Indonesian Missions via online through the Indonesian Citizen Care Portal or offline.

CHAPTER II
PLACEMENT AND PROTECTION OF MIGRANT COMMERCIAL
VESSEL CREWS

Part One
Placement of Migrant Commercial Vessel Crews

Paragraph 1
General

Article 5

- (1) The placement of Migrant Commercial Vessel Crews by BP2MI is carried out based on a written agreement between:
 - a. The Government of the Republic of Indonesia and the government of the destination country; or
 - b. The Government of the Republic of Indonesia and Employers or Principals with legal entity in the destination country.
- (2) The written agreement as referred to in section (1) is carried out by the Minister after receiving input from the relevant ministries/institutions.
- (3) In the event of written agreement between the government and the Employer or Principal with a legal entity in the destination country, the Minister may delegate the authority to sign the agreement in writing to BP2MI.
- (4) The written agreement as referred to in section (3) is followed up with a technical agreement between BP2MI and a government institutions appointed by the government of the country of the Employer or the Principal.

Article 6

- (1) The stages of implementing the Placement of Migrant Commercial Vessel Crews by BP2MI as referred to in Article 5 are carried out through:
 - a. provision of information;
 - b. registration;
 - c. selection;
 - d. health and psychological examination;
 - e. signing of the Placement Agreement;
 - f. registration of Social Security membership;
 - g. implementation of pre-departure orientation;
 - h. signing of PKL; and
 - i. departure.
- (2) The stages as referred to in section (1) are carried out jointly with the relevant ministries/institutions.
- (3) Further provisions regarding the Placement of Migrant Commercial Vessel Crews are regulated by a Ministerial Regulation.

Article 7

The placement process for Migrant Commercial Vessel Crews is carried out through data integration from relevant ministries/institutions.

Paragraph 2
Requirements for Indonesian Migrant Workers Placement Agency

Article 8

- (1) The Placement of Migrant Commercial Vessel Crews by P3MI is required to obtain written permission from the Minister in the form of SIP3MI.
- (2) SIP3MI as referred to in section (1) cannot be transferred or handed over.
- (3) To obtain SIP3MI as referred to in section (1), P3MI must meet the following requirements of:
 - a. being in the form of legally incorporated limited liability companies;
 - b. having a complete establishment deed up to the latest amendment deed accompanied by a letter of approval by the ministry administering government affairs in the field of law and human rights;
 - c. having a taxpayer identification number of company;
 - d. having domicile certificate;
 - e. copy of resident identity card of company owner;
 - f. having a data collection system for Migrant Commercial Vessel Crews;
 - g. having paid-up capital listed in the company's deed of establishment of at least Rp5,000,000,000.00 (five billions rupiah);
 - h. depositing money with state banks in the form of deposits of at least Rp1,500,000,000.00 (one billion five hundred millions rupiah) which can be cashed at any time as collateral to fulfill obligations under the Protection of Migrant Commercial Vessel Crews;
 - i. having a work plan for the Placement and Protection of Migrant Commercial Vessel Crews for a minimum of 3 (three) current years;
 - j. having the means and infrastructure for the Placement of Migrant Commercial Vessel Crews;
 - k. having proof of passing the technical selection from the ministry administering government affairs in the field of transportation; and
 - l. having experts in marine.
- (4) The deposit as referred to in section (3) point h can be disbursed by the Minister in the event that the P3MI is unable to fulfill the obligations towards the Migrant Commercial Vessel Crews.
- (5) P3MI that has received written permission from the Minister as referred to in section (1) is obligated to be responsible for the PMI placed by it.

Article 9

- (1) SIP3MI is given for a period of 5 (five) years and can be extended.
- (2) If P3MI no longer fulfills the SIP3MI requirements as referred to in Article 8 section (3) then the P3MI is subject to administrative sanctions.
- (3) Further provisions regarding the procedures for issuing and extending SIP3MI are regulated by a Ministerial Regulation.

Article 10

- (1) P3MI in implementing the Placement of Migrant Commercial Vessel Crews is obligated to have an agency agreement with the Employer or Principal that is endorsed by the Indonesian Missions.
- (2) The endorsement as referred to in section (1) includes the verification process and the issuance of an endorsement stamp carried out by the Labor Attaché and/or foreign service officials.
- (3) The agency agreement as referred to in section (1) one of which contains a letter of request for Migrant Commercial Vessel Crews based on qualifications and positions.
- (4) To obtain the agency agreement as referred to in section (1), P3MI must attach the following documents:
 - a. appointment letter endorsed by Indonesian Missions for Employers or Principals domiciled abroad;
 - b. statement letter registered with the competent institution or agency in the respective country and is required to be endorsed by Indonesian Missions for Employers or Principals who are domiciled abroad;
 - c. KKB;
 - d. power of attorney to act on behalf of the Principal for the Placement of Migrant Commercial Vessel Crews is required to be endorsed by Indonesian Missions for Employers or Principals domiciled abroad; and
 - e. copy of draft PKL from the Employer or Principal.
- (5) P3MI that does not have an agency agreement as referred to in section (1) is subject to administrative sanctions.

Article 11

- (1) P3MI in implementing the Placement of Migrant Commercial Vessel Crews is obligated to have SIP2MI.
- (2) To obtain SIP2MI as referred to in section (1), P3MI submits application to BP2MI by attaching the following documents:
 - a. agency agreement between P3MI and the Employer or Principal; and
 - b. draft Placement Agreement between P3MI and prospective Migrant Commercial Vessel Crews.
- (3) SIP2MI as referred to in section (1) cannot be transferred or handed over.
- (4) P3MI that does not have SIP2MI as referred to in section (1) is subject to administrative sanctions and/or is subject to sanctions in accordance with the provisions of the Law governing the Protection of Indonesian Migrant Workers.

Article 12

SIP2MI applies nationally and is submitted to P3MI online through a computerized system for Protection of Indonesian Migrant Workers which is integrated with an integrated employment information system.

Article 13

- (1) P3MI is prohibited from dispatching prospective Migrant Commercial Vessel Crews who do not have the required documents.

- (2) P3MI that dispatches prospective Migrant Commercial Vessel Crews who do not have the required documents as referred to in section (1) is subject to administrative sanctions.

Paragraph 3

Companies That Place Migrant Commercial Vessel Crews for Companies' Own Needs

Article 14

- (1) Companies can place Migrant Commercial Vessel Crews for the companies' own needs on Foreign-flagged Ships.
- (2) The companies as referred to in section (1) are obligated to report the Placement of Migrant Commercial Vessel Crews to the Minister.
- (3) The companies as referred to in section (1) are obligated to be responsible for the Protection of Migrant Commercial Vessel Crews placed on Foreign-flagged Ships.
- (4) Companies that are not responsible for the Protection of Migrant Commercial Vessel Crews as referred to in section (3) are subject to administrative sanctions.

Part Two

Protection of Migrant Commercial Vessel Crews

Paragraph 1

Before Work

Article 15

Every prospective Migrant Commercial Vessel Crew must comply with the following requirements of Commercial Vessel:

- a. a t minimum 18 (eighteen) years old;
- b. having competence or education in accordance with the requirements of the position determined by the Employer or Principal and fulfilling the qualifications for work competence in accordance with the provisions of legislation;
- c. being physically and mentally healthy;
- d. being registered and having a Social Security membership number; and
- e. having all the required documents.

Article 16

Every prospective Migrant Commercial Vessel Crew who meets the requirements as referred to in Article 15 must register to the Regency/Municipal Office or LTSA of Indonesian Migrant Workers via online and offline.

Article 17

- (1) Migrant Commercial Vessel Crews must sign the PKL before work.
- (2) PKL of Migrant Commercial Vessel Crews as referred to in section (1) at least contains:
 - a. identity of Migrant Commercial Vessel Crews:
 1. full name;
 2. date of birth or age and place of birth;

3. seafarer's identity document number or seafarer 's code;
 4. passport number; and
 5. address in Indonesia;
 - b. identity of the Employers or Principals:
 1. name;
 2. personal identification number; and
 3. address/domicile;
 - c. P3MI identity:
 1. name of person in charge; and
 2. address/domicile;
 - d. vessel identity:
 1. name of vessel;
 2. vessel registration number or international maritime organization number; and
 3. ship flag;
 - e. the rights and obligations of the parties;
 - f. the least conditions and work conditions include:
 1. working hour, rest hour and leave;
 2. wages, method of payroll, overtime allowance, annual leave wages and bonuses;
 3. accommodation, recreational facilities and consumption; and
 4. Social Security and insurance;
 - g. place and date of PKL;
 - h. position or rank on vessel;
 - i. right to return or repatriation;
 - j. KKB number reference if any;
 - k. dispute resolution; and
 - l. PKL period.
- (3) Working hour and rest hour as referred to in section (2) point f point 1 with the following conditions:
- a. The longest working hour does not exceed:
 1. 14 (fourteen) hours in a period of 24 (twenty-four) hours; and
 2. 72 (seventy-two) hours in a period of 7 (seven) work days;
 - b. rest hours at least no less than:
 1. 10 (ten) hours in a period of 24 (twenty-four) hours; and
 2. 77 (seventy-seven) hours in a period of 7 (seven) work days.
- (4) PKL as referred to in section (1) is authorized by harbormaster and recorded through integrated system.

Article 18

- (1) Every Migrant Commercial Vessel Crew is obligated to have the following documents:
- a. passport;
 - b. Seafarer's Book;
 - c. PKL;
 - d. proof of membership in Social Security program;
 - e. health certificate based on health and psychology checks;
 - f. Work Visa;

- g. seafarer's identity document if required by the employer or principal; and
 - h. certificate of work competency, seafarer expertise certificate, and/or seafarer skills certificate.
- (2) The PKL as referred to section (1) point c is made based on KKB.
 - (3) The Work Visa as referred to in section (1) point f is attached if required by the destination country.
 - (4) The process of issuing documents as referred to in section (1) is in accordance with.

Paragraph 2
During Work

Article 19

- (1) Employers or Principles are obligated to provide employment protection for Migrant Commercial Vessel Crews.
- (2) Protection as referred to in section (1) of at least includes:
 - a. wages;
 - b. work hour and rest hour;
 - c. leave rights;
 - d. repatriation;
 - e. compensation rights to the loss of ships;
 - f. manning levels;
 - g. self-development and career development;
 - h. accommodation, recreational facilities, food, drinks, and clean water;
 - i. health services on ships and land;
 - j. occupational safety and health;
 - k. prevention of employment injuries;
 - l. access to welfare facilities at the port; and
 - m. Social Security and insurance.
- (3) Working hour and rest hour as referred to in section (2) point b are applicable for the provisions as referred to in Article 17 section (3).
- (4) Leave rights as referred to in section (2) point c are obtained directly without holding the right to wages.
- (5) Provisions regarding the protection as referred to in section (2) are carried out in accordance with the provisions of legislation, international law, international standards issued by international organizations, the law of the countries of ship flag, and/or the law of the law of the countries of the Employer or the Principal.

Paragraph 3
After Work

Article 20

- (1) Migrant Commercial Vessel Crews have rights to return or repatriation caused by:
 - a. the period of PKL ended on the ship or abroad;
 - b. PKL ended by the Employer or Principal or Migrant Trading Vessel Crews due to justified reasons; or
 - c. the Migrant Commercial Vessel Crew is no longer able

to carry out the obligations regulated in PKL or cannot be expected to carry out obligations in special circumstances.

- (2) The right to return or repatriation of Migrant Commercial Vessel Crews as referred to in section (1) is borne by the Employer or Principal to the area of origin where the Migrant Commercial Vessel Crews.
- (3) In the event that certain conditions occur in the destination country or domestically, PKL can be extended.

Article 21

In the event that the PKL ends when the Migrant Commercial Vessel Crews is sailing which is not possible to return, the crew must continue the task (jobs) on the Commercial Vessel until the Commercial Vessel arrives at the next port and receive wages and welfare for excess working hour.

CHAPTER III

PLACEMENT AND PROTECTION OF MIGRANT FISHING VESSEL CREWS

Part One

Placement of Migrant Fishing Vessel Crews

Paragraph 1

General

Article 22

- (1) Placement of Migrant Fishing Vessel Crews by BP2MI is carried out based on written agreement between:
 - a. The Government of the Republic of Indonesia, the government of destination state; or
 - b. The Government of the Republic of Indonesia with employers or Principal with a legal entity in the destination country.
- (2) The written agreement as referred to in section (1) is carried out by the Minister after receiving input from the relevant ministries/institutions.
- (3) In the event of written agreement between the government and the employer or Principal with a legal entity in the destination country, the Minister can delegate the authority to sign the written agreement to BP2MI.
- (4) The written agreement as referred to in section (3) is followed up with a technical agreement between BP2MI and government institutions appointed by the government of the Employer or Principal country.

Article 23

- (1) The stages of implementing the Placement of Migrant Fishing Vessel Crews by BP2MI as referred to in Article 22 are carried out through:
 - a. providing information;
 - b. registration;
 - c. selection;
 - d. health and psychology checks;
 - e. signing of the Placement Agreement;

- f. registration of Social Security membership;
 - g. implementation of pre -departure orientation;
 - h. signing PKL; and
 - i. departure.
- (2) The stages as referred to in section (1) are carried out jointly with related ministries/institutions.
 - (3) Further provisions regarding the Placement of Migrant Fishing Vessel Crews are regulated by a Ministerial Regulation.

Article 24

The process of Placement of Migrant Fishing Vessel Crews is carried out through data integration of related ministries/institutions.

Paragraph 2

Requirements for Indonesian Migrant Workers Placement Agencies

Article 25

- (1) The placement of Migrant Fishing Vessel Crews by P3MI is required to obtain written permission from the Minister in the form of SIP3MI.
- (2) SIP3MI as referred to in section (1) cannot be transferred or handed over.
- (3) To obtain SIP3MI as referred to in section (1), P3MI must meet the following requirements of:
 - a. being in the form of legally incorporated limited liability companies;
 - b. having a complete establishment deed up to the latest amendment deed accompanied by a letter of approval by the ministry administering government affairs in the field of law and human;
 - c. having a taxpayer identification number of company;
 - d. having domicile certificate;
 - e. copy of resident identity card of company owner;
 - f. having a data collection system for Migrant Fishing Vessel Crews;
 - g. having paid-up capital listed in the company's deed of establishment of at least Rp5,000,000,000.00 (five billions rupiah);
 - h. depositing money with state banks in the form of deposits of at least Rp1,500,000,000.00 (one billion five hundred millions rupiah) which can be cashed at any time as collateral to fulfill obligations under the Protection of Migrant Fishing Vessel Crews;
 - i. having a work plan for the Placement and Protection of Migrant Fishing Vessel Crews for a minimum of 3 (three) current years;
 - j. having the means and infrastructure for the Placement of Migrant Fishing Vessel Crews;
 - k. having proof of passing the technical selection from the ministry administering government affairs in the field of transportation; and
 - l. having experts in fishing vessel crews.

- (4) The deposit as referred to in section (3) point h can be disbursed by the Minister in the event that the P3MI is unable to fulfill the obligations towards the Migrant Fishing Vessel Crews.
- (5) P3MI that has received written permission from the Minister as referred to in section (1) is obligated to be responsible for the PMI placed by it.

Article 26

- (1) SIP3MI is given for a period of 5 (five) years and can be extended.
- (2) If P3MI no longer fulfills the SIP3MI requirements as referred to in Article 25 section (3) then the P3MI is subject to administrative sanctions.
- (3) Further provisions regarding the procedures for issuing and extending SIP3MI are regulated by a Ministerial Regulation.

Article 27

- (1) P3MI in implementing the Placement of Migrant Fishing Vessel Crews is obligated to have an agency agreement with the Employer or Principal that is endorsed by the Indonesian Missions.
- (2) The endorsement as referred to in section (1) includes the verification process and the issuance of an endorsement stamp carried out by the Labor Attaché and/or foreign service officials.
- (3) The agency agreement as referred to in section (1) one of which contains a letter of request for Migrant Commercial Vessel Crews based on qualifications and positions.
- (4) To obtain the agency agreement as referred to in section (1), P3MI must attach the following documents:
 - a. appointment letter that is required to be endorsed by Indonesian Missions for Employers or Principals domiciled abroad;
 - b. statement letter registered with the competent institution or agency in the respective country and is required to be endorsed by Indonesian Missions for Employers or Principals who are domiciled abroad;
 - c. KKB;
 - d. power of attorney to act on behalf of the Principal for the Placement of Migrant Fishing Vessel Crews is required to be endorsed by Indonesian Missions for Employers or Principals domiciled abroad; and
 - e. copy of draft PKL from the Employer or Principal.
- (5) P3MI that does not have an agency agreement as referred to in section (1) is subject to administrative sanctions.

Article 28

- (1) P3MI in implementing the Placement of Migrant Fishing Vessel Crews is obligated to have SIP2MI.
- (2) To obtain SIP2MI as referred to in section (1), P3MI submits application to BP2MI by attaching the following documents:
 - a. agency agreement between P3MI and the Employer or Principal; and
 - b. draft Placement Agreement between P3MI and

prospective Migrant Fishing Vessel Crews.

- (3) SIP2MI as referred to in section (1) cannot be transferred or handed over.
- (4) P3MI that does not have SIP2MI as referred to in section (1) is subject to administrative sanctions.

Article 29

SIP2MI applies nationally and is submitted to P3MI online through a computerized system for Protection of Indonesian Migrant Workers which is integrated with an integrated employment information system.

Article 30

- (1) Provisions prohibiting P3MI from dispatching/embarking prospective Migrant Commercial Vessel Crews who do not have the documents as referred to in Article 13 apply mutatis mutandis to the prohibition on P3MI dispatching prospective Migrant Fishing Crews who do not have documents.
- (2) The provisions of P3MI to place Migrant Commercial Vessel Crews on Foreign- Flagged Ships as referred to in Article 14 apply mutatis mutandis to P3MI placing Migrant Fishing Vessel Crews on Foreign- Flagged Ships.

Part Two

Protection of Migrant Fishing Vessel Crews

Paragraph 1 Before Work

Article 31

Every prospective Migrant Fishing Vessel Crew must comply with the following requirements of:

- a. at minimum 18 (eighteen) years old;
- b. having competence or fulfilling the qualifications for work competence in accordance with the provisions of legislation;
- c. being physically and mentally healthy;
- d. being registered and having a Social Security membership number; and
- e. having all the required documents.

Article 32

Every prospective Migrant Fishing Vessel Crew who meets the requirements as referred to in Article 15 must register to the Regency/Municipal Office or LTSA of Indonesian Migrant Workers via online and offline.

Article 33

- (1) Migrant Fishing Vessel Crews must sign the PKL before work.
- (2) PKL of Migrant Fishing Vessel Crews as referred to in section (1) at least contains:
 - a. identity of Migrant Fishing Vessel Crews:
 1. full name;
 2. date of birth or age and place of birth;

3. passport number; and
 4. address in Indonesia;
 - b. identity of the Employer or Principal:
 1. name;
 2. personal identification number; and
 3. address/domicile;
 - c. P3MI identity:
 1. name of person in charge; and
 2. address/domicile;
 - d. vessel Identity:
 1. name of vessel;
 2. vessel registration number; and
 3. ship flag;
 - e. the rights and obligations of the parties;
 - f. the least conditions and work conditions include:
 1. working hour, rest hour and leave;
 2. wages, method of payroll, overtime allowance, annual leave wages and bonuses;
 3. accommodation, recreational facilities and consumption; and
 4. Social security and insurance
 - g. place and date of PKL;
 - h. zone or shipping area;
 - i. position or rank and type of work for Migrant Fishing Vessel Crews;
 - j. place and date Migrant Fishing Vessel Crews are required to report work on the ship;
 - k. Protection of Migrant Fishing Vessel Crews on vessel;
 - l. right to return or repatriation;
 - m. dispute resolution; and
 - n. PKL period.
- (3) The PKL as referred to in section (1) is authorized by the harbormaster and recorded through an integrated system.

Article 34

- (1) Every Migrant Fishing Vessel Crew is obligated to have following documents:
 - a. passport;
 - b. Seafarer's Book;
 - c. PKL;
 - d. proof of membership in Social Security program;
 - e. health certificate based on health and psychology checks;
 - f. Work Visa;
 - g. Placement Agreement; and
 - h. certificate of work competency, expertise certificate of Migrant Fishing Vessel Crews, and/or seafarer skills certificate for Migrant Fishing Vessel Crews.
- (2) PKL as referred to section (1) point c is made based on KKB.
- (3) The Work Visa as referred to in section (1) point f is attached if required by the destination country.
- (4) The process of issuing documents as referred to in section (1) is in accordance with the provisions of legislation.

Paragraph 2
During Work

Article 35

- (1) Employers or Principals are required to provide employment protection for Migrant Fishing Vessel Crews.
- (2) The protection as referred to in section (1) of at least includes:
 - a. wages;
 - b. work hour and rest hour;
 - c. leave rights;
 - d. repatriation;
 - e. compensation rights to the loss of ships;
 - f. manning levels;
 - g. self-development and career development;
 - h. accommodation, recreational facilities, food, drinks, and clean water;
 - i. health services on ships and land;
 - j. occupational safety and health;
 - k. prevention of employment injuries;
 - l. access to welfare facilities at the port; and
 - m. Social Security and insurance.
- (3) Working hour and rest hour as referred to in section (2) point b are applicable for provisions as referred to in Article 17 section (3).
- (4) Leave rights as referred to in section (2) point c are obtained directly without holding the right to wages.
- (5) Provisions regarding the protection as referred to in section (2) are carried out in accordance with the provisions of legislation, international law, international standards issued by international organizations, the law of the countries of ship flag, and/or the law of the law of the countries of the Employer or the Principal.

Paragraph 3
After Work

Article 36

- (1) Migrant Fishing Vessel Crews have rights to return or repatriation caused by:
 - a. the period of PKL ended on the ship or abroad;
 - b. PKL ended by the Employer or Principal or Migrant Fishing Vessel Crews due to justified reasons; or
 - c. The Migrant Fishing Vessel Crew is no longer able to carry out the obligations regulated in PKL or cannot be expected to carry out obligations in special circumstances.
- (2) The right to return or repatriation of Migrant Fishing Vessel Crews as referred to in section (1) is borne by the Employer or Principal to the area of origin where the Migrant Fishing Vessel Crews.
- (3) In the event that certain conditions occur in the destination country or domestically, PKL can be extended.

Article 37

In the event that the PKL ends when the Migrant Fishing Vessel Crews is sailing which is not possible to return, the crew must continue the task (jobs) on the Commercial Vessel until the Commercial Vessel arrives at the next port and receive wages and welfare for excess working hour.

CHAPTER IV
DISPUTE RESOLUTION

Article 38

- (1) Resolution in the event of a dispute between Migrant Commercial Vessel Crews or Migrant Fishing Vessel Crews and BP2MI, P3MI, or a company that places crew for the benefit of the company itself regarding the implementation of the Placement Agreement is carried out by deliberation.
- (2) In the event that no agreement is reached on the dispute resolution as referred to in section (1), the parties may file a lawsuit through the industrial relations court in accordance with the provisions of the legislation.

Article 39

- (1) Indonesian Missions provide legal assistance, assistance, and/or mediation to Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews abroad.
- (2) Legal assistance as referred to in section (1), in the form of facilitating advocate services by Indonesian Missions in principle prioritizes pro bono legal assistance in accordance with local country law.
- (3) The provisions as referred to in section (2) are exempted if local country conditions do not allow for pro bono legal assistance, Indonesian Missions can facilitate legal assistance from advocate services in the local country, limited to death penalty.
- (4) The legal assistance as referred to in section (2) and section (3) provided by the Indonesian Missions, does not take over criminal and civil responsibilities.

CHAPTER V
INSPECTION

Article 40

- (1) Inspection of the Placement and Protection of Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews before and after work period is carried out through supervision by the labor inspector and may involve marine inspectors or fishery inspectors in accordance with their respective authority.
- (2) Inspection of the Placement and Protection of Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews during work period is carried out by Indonesian Missions and can work together with Flag State Inspectors and Port State Control Officers in destination countries.
- (3) Inspection of Placement and Protection of Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews

as referred to in section (1) and section (2) is carried out in accordance with the provisions of legislation.

CHAPTER VI ADMINISTRATIVE SANCTIONS

Article 41

- (1) Administrative sanctions as referred to in Article 9 section (2), Article 10 section (5), Article 11 section (4), Article 13 section (2), Article 14 section (4), Article 26 section (2), Article 27 section (5), and Article 28 section (4) are in the forms of:
 - a. warning letter;
 - b. temporary suspension of part or all of business activities; or
 - c. license revocation.
- (2) Further provisions regarding the procedures for imposing administrative sanctions as referred to in section (1) are regulated by a Ministerial Regulation.

CHAPTER VII MISCELLANEOUS PROVISIONS

Article 42

- (1) Indonesian Missions provide evacuation assistance in the event of war, armed conflict, mass riots, and massive-scale natural/non-natural disasters that threaten the safety of Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews.
- (2) If necessary, for the repatriation of Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews as referred to in section (1), the Central Government, local government, and P3MI together carry out arrangements for repatriation to their origin.
- (3) In the event that there is no Indonesian Missions as referred to in section (1), the Central Government through the ministry administering government affairs in the foreign sector may appoint an agency/institution to carry out the function of protecting Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews.
- (4) Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews as referred to in section (1) to section (3) include those who work individually as referred to in Article 3 section (3) to section (5).

CHAPTER VIII CLOSING PROVISIONS

Article 43

- (1) At the time this Government Regulation comes into force, manning agencies that already have a Business Permit for Crew Recruitment and Placement in accordance with Regulation of the Minister of Transportation Number PM 84 of 2013 on the Recruitment and Placement of Vessel Crews (State Bulletin of the Republic of Indonesia of 2013 Number

1200), are declared to remain effective and can carry out the Placement of Migrant Commercial Vessel Crews or Migrant Fishing Vessel Crews.

- (2) The manning agency as referred to in section (1) is obligated to adjust the SIP3MI permit not later than 2 (two) years after the promulgation of this Government Regulation.

Article 44

- (1) At the time this Government Regulation comes into force, the SIP3MI that has been owned by P3MI for the Placement of Migrant Commercial Vessel Crews or Migrant Fishing Vessel Crews is declared to remain effective.
- (2) SIP3MI that has been owned by P3MI as referred to in section (1) is required to comply with the terms and conditions for SIP3MI permit as regulated in this Government Regulation not later than 2 (two) years since this Government Regulation is promulgated.

Article 45

- (1) Companies that have applied for Business Permits for the Recruitment and Placement of Vessel Crews, before this Government Regulation comes into force, are still being processed in accordance with Regulation of the Minister of Transportation Number PM 84 of 2013 on Recruitment and Placement of Vessel Crews (State Bulletin of the Republic of Indonesia of 2013 Number 1200) and can carry out the Placement of Migrant Commercial Vessel Crews or Migrant Fishing Vessel Crews.
- (2) P3MI as referred to in section (1) is obligated to adjust the SIP3MI permit not later than 2 (two) years after this Government Regulation is promulgated.

Article 46

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

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

Issued in Jakarta
on 8 June 2022

PRESIDENT OF THE REPUBLIC
OF INDONESIA,

signed

JOKO WIDODO

Promulgated in Jakarta
on 8 June 2022

MINISTER OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

signed

YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2022 NUMBER 132

Jakarta, 01 August 2023
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,



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

Issued in Jakarta
on 8 June 2022

PRESIDENT OF THE REPUBLIC
OF INDONESIA,

signed

JOKO WIDODO

Promulgated in Jakarta
on 8 June 2022

MINISTER OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

signed

YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2022 NUMBER 132

Jakarta, 01 August 2023

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,

ASEP N. MULYANA



ELUCIDATION
OF
REGULATION OF THE GOVERNMENT OF THE REPUBLIC OF INDONESIA
NUMBER 22 OF 2022
ON
PLACEMENT AND PROTECTION OF MIGRANT COMMERCIAL VESSEL CREWS
AND MIGRANT FISHING VESSEL CREWS

I. GENERAL

The state protects every Indonesian citizen who migrates to work abroad in order to fulfill constitutional rights as stated in Article 27 section (2) of the 1945 Constitution of the Republic of Indonesia, that “every citizen has the right to work and a decent life for humanity”.

Working is a human right that must be upheld, respected and guaranteed to be upheld. Indonesian Migrant Workers according to the provisions of Article 4 section (1) of Law Number 18 of 2017 on Protection of Indonesian Migrant Workers, this also includes Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews. Therefore, Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews must be protected from human trafficking, including slavery and forced labor, victims of violence, abuse, crimes against human dignity, and other treatment that violates human rights. There are specific conditions for Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews that require separate regulation from regulations regarding the placement and protection of Indonesian Migrant Workers in general. This Government Regulation has been prepared by taking into account the provisions of cross-sectoral legislation, such as transportation, maritime affairs and fisheries, and foreign relations with due observance of international conventions as the basis for regulation.

This Government Regulation is prepared in the context of realizing the harmonization of regulations governing the placement and protection of Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews. In addition, the purpose of this arrangement is to simplify licensing services and system integration to provide optimal protection for Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Sufficiently clear.

Article 3

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

The term "companies that place crews for the company's own needs" means companies that are Indonesian legal entities that already have permission from the Minister to place Migrant Commercial Vessel Crews or Migrant Fishing Vessel Crews for the company's own needs.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Article 4

Point a

Sufficiently clear.

Point b

The term "Indonesian Citizen Care Portal", hereinafter referred to as Portal Peduli WNI, means an information and communication technology system that aims to facilitate all services and protection for Indonesian citizens living abroad which are carried out by Indonesian Missions abroad.

Article 5

Section (1)

Sufficiently clear.

Section (2)

The term "relevant ministries/institutions" includes ministries that administering government foreign affairs , ministry administering government affairs in the field of transportation, ministry administering government affairs in the field of marine and fisheries, institutions administering government duty in the field of Protection of Indonesian Migrant Workers.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 6

Section (1)

Point a

Sufficiently clear.

Point b
Sufficiently clear.

Point c
Sufficiently clear.

Point d
Sufficiently clear.

Point e
Sufficiently clear.

Point f
Sufficiently clear.

Point g
The term "pre-departure orientation " means the activity of providing debriefing and information to prospective Indonesian Migrant Workers who will go to work abroad so that prospective Indonesian Migrant Workers have the mental and knowledge readiness to work abroad, understand their rights and obligations, as well as can solve problems to be faced.

Point h
Sufficiently clear.

Point i
Sufficiently clear.

Section (2)
Sufficiently clear.

Section (3)
Sufficiently clear.

Article 7

The term "data integration" includes an integrated employment information system at the Ministry of Manpower, the Indonesian Citizen Care Portal at the Ministry of Foreign Affairs, a system at the Ministry of Transportation and a computerized system for Protection of Indonesian Migrant Workers at BP2MI.

Article 8

Section (1)
Sufficiently clear.

Section (2)
Sufficiently clear.

Section (3)
Point a
Sufficiently clear.

Point b
Sufficiently clear.

Point c
Sufficiently clear.

Point d
Sufficiently clear.

Point e
Sufficiently clear.

Point f
Sufficiently clear.

Point g
Sufficiently clear.

Point h
Sufficiently clear.

Point i
Sufficiently clear.

Point j
The term "having means and infrastructure" means those evidenced by a letter of ownership or a lease/contract/cooperation agreement.

Point k
Sufficiently clear.

Point l
The term "experts in the marine are experts in the marine who have competency certificates at the same level as Nautical Experts (ANT) or Technical Experts (ATT) or Diploma IV Management of Sea and Port Transportation (KALK).

Section (4)
Sufficiently clear.

Section (5)
Sufficiently clear.

Article 9
Sufficiently clear.

Article 10
Section (1)
Sufficiently clear.
Section (2)
Sufficiently clear.
Section (3)
The term "letter of request" includes job orders, wakalah visas, and demand letters.
Section (4)
Sufficiently clear.
Section (5)
Sufficiently clear.

Article 11
Sufficiently clear.

Article 12
The term "computerized system for Protection of Indonesian Migrant Workers" means a computerized system for protecting Indonesian Migrant Workers which is an administrative service system for the placement of Indonesian Migrant Workers.
The term "integrated employment information system" means a system as a unified component consisting of institutions, human resources, hardware, software, and substances that are related to one another in a work mechanism for integrated data and information management in the field of manpower.

Article 13
Sufficiently clear.

Article 14

Section (1)

The term "companies can place Migrant Commercial Vessel Crews for the companies own needs" means a company that is not a P3MI which has written permission from the Minister to place vessel crews for the own needs of companies which:

- a. have an ownership relationship with foreign companies;
- b. obtain a work contract in the field of business;
- c. expand business in destination country; or
- d. improve the quality of human resources.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 15

Sufficiently clear.

Article 16

Sufficiently clear.

Article 17

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Point h

Sufficiently clear.

Point i

Sufficiently clear.

Point j

Sufficiently clear.

Point k

Sufficiently clear.

Point l

The term " PKL period " contains provisions:

- a. if the PKL has been made for an unlimited period of time, the provisions allowing one of the parties to terminate it, and the required notification period, which is mandatory for the principal not less than that required for the vessel crews;
- b. if PKL is made for a certain period of time, PKL must include the expiration date; and
- c. if the PKL is made for 1 (one) shipping trip, the port of destination, and the validity period must end after the arrival of the ship before the vessel crew is obligated to be disembarked.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 18

Sufficiently clear.

Article 19

Section (1)

Sufficiently clear.

Section (2)

Point a

The term "wages" includes basic wages and allowances and other income according to PKL.

Point b

Sufficiently clear.

Point c

The term "leave rights" means annual leave rights and certain leave rights .

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

The term "manning levels " means the condition of the ship that must have an adequate number of Migrant Commercial Vessel Crews employed on the ship to ensure that the ship is operated safely, efficiently and pays attention to security in all conditions, concerned on fatigue and the nature and certain sailing conditions.

Point g

Sufficiently clear.

Point h

The term "accommodation" includes a bed and proper sanitation.

Point i

Sufficiently clear.

Point j

Sufficiently clear.

Point k

Sufficiently clear.

Point l

Sufficiently clear.

Point m

The term "Social Security and insurance" also includes in the event of illness, injury, death, or loss of migrant vessel crews.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 20

Section (1)

Point a

Sufficiently clear.

Point b

The term "justified reasons" means:

- a. ship accident or ship not seaworthy;
- b. the Employer or Principal is declared bankrupt;
- c. ships sold;
- d. changes in ship registration; or
- e. the ship is in a war zone

Point c

The term "no longer able to carry out obligations" means illness, injury, permanent total disability, or other medical conditions or psychological disorders that require repatriation and the person concerned is declared medically fit to travel back to his country of origin."

Section (2)

Sufficiently clear.

Section (3)

The term "certain conditions" includes the occurrence of disasters in the form of natural disasters, non-natural disasters, and social disasters.

Article 21

Sufficiently clear.

Article 22

Section (1)

Sufficiently clear.

Section (2)

The term "relevant ministries/institutions" includes ministry that carry out government affairs in the field of foreign affairs, ministry that carry out government affairs in the field of transportation, ministry that carry out government affairs in the field of maritime affairs and fisheries, institutions that carry out government tasks in the field of Protection of Indonesian Migrants Workers.

Section (3)
Sufficiently clear.

Section (4)
Sufficiently clear.

Article 23
Sufficiently clear.

Article 24
The term "data integration" includes an integrated employment information system at the Ministry of Manpower, the Indonesian Citizen Care Portal at the Ministry of Foreign Affairs, a system at the Ministry of Transportation, and a computerized system for Protection of Indonesian Migrant Workers at BP2MI

Article 25
Section (1)
Sufficiently clear.
Section (2)
Sufficiently clear.
Section (3)
Point a
Sufficiently clear.
Point b
Sufficiently clear.
Point c
Sufficiently clear.

Point d
Sufficiently clear.
Point e
Sufficiently clear.
Point f
Sufficiently clear.
Point g
Sufficiently clear.
Point h
Sufficiently clear.
Point i
Sufficiently clear.

Point j
The term "having the means and infrastructure" means evidenced by a letter of ownership or a lease/contract/cooperation agreement.

Point k
Sufficiently clear.

Point l
The term "experts in experts in fishing vessel crews" means experts in the maritime field who have a competency certificate at the lowest level with a Fishing Vessel Nautical Expert (ANKAPIN) or a Fishing Vessel Engineering Expert (ATKAPIN).

Section (4)
Sufficiently clear.

Section (5)
Sufficiently clear.

Article 26
Sufficiently clear.

Article 27
Section (1)
Sufficiently clear.
Section (2)
Sufficiently clear.

Section (3)
The term "a letter of request" includes job orders, wakalah
visa, and demand letters.

Section (4)
Sufficiently clear.

Section (5)
Sufficiently clear.

Article 28
Sufficiently clear.

Article 29
The term "a computerized system for Protection of Indonesian
Migrant Workers" means a computerized system for the protection
of Indonesian Migrant Workers which is an administrative service
system for the placement of Indonesian Migrant Workers.
The term "an integrated employment information system" means
an integrated system component consisting of institutions, human
resources, hardware, software, and substances that are related to
one another in a work mechanism for integrated data and
information management in the field of manpower.

Article 30
Sufficiently clear.

Article 31
Sufficiently clear.

Article 32
Sufficiently clear.

Article 33
Section (1)
Sufficiently clear.
Section (2)
Point a
Sufficiently clear.
Point b
Sufficiently clear.
Point c
Sufficiently clear.
Point d
Sufficiently clear.

Point e
Sufficiently clear.

Point f
Sufficiently clear.

Point g
Sufficiently clear.

Point h
Sufficiently clear.

Point i
Sufficiently clear.

Point j
Sufficiently clear.

Point k
Sufficiently clear.

Point l
Sufficiently clear.

Point m
Sufficiently clear.

Point n
The term "PKL period" includes the provisions:
a. if the PKL has been made for unlimited period of time, the provisions allowing one of the parties to terminate it, and the required notification period, which is mandatory for the principal is not less than that required for the vessel crew;
b. if the PKL is made for a certain period of time, the PKL must include the expiration date; and
c. if the PKL is made for 1 (one) sailing trip, the port of destination, and the validity period must end after the arrival of the vessel before the crew must be disembarked.

Section (3)
Sufficiently clear.

Article 34
Sufficiently clear.

Article 35
Section (1)
Sufficiently clear.

Section (2)
Point a
The term "wages" includes basic wages and allowances and other income according to the PKL.

Point b
Sufficiently clear.

Point c
The term "leave rights" means annual leave entitlement and certain leave entitlements.

Point d
Sufficiently clear.

Point e
Sufficiently clear.

Point f
The term "manning levels " means the condition of the

ship that must have an adequate number of Migrant Fishing Vessel Crew employed on board to ensure that the vessel is operated safely, efficiently, and pays attention to security in all conditions, concerned about fatigue and the nature and certain shipping conditions.

Point g
Sufficiently clear.

Point h
The term "accommodation" includes bed and proper sanitation.

Point i
Sufficiently clear.

Point j
Sufficiently clear.

Point k
Sufficiently clear.

Point l
Sufficiently clear.

Point m
The term "Social Security and insurance" also includes in the event of illness, injury, death or loss of migrant vessel crew.

Section (3)
Sufficiently clear.

Section (4)
Sufficiently clear.

Section (5)
Sufficiently clear.

Article 36

Section (1)
Point a
Sufficiently clear.

Point b
The term "justified reason" means:
a. ship accident or ship not seaworthy;
b. the Employer or Principal is declared bankrupt;
c. ships sold;
d. changes in ship registration; or
e. the ship is in a war zone.

Point c
The term "no longer able to carry out obligations" means illness, injury, permanent total disability, or other medical conditions or psychological disorders that require repatriation and the person concerned is declared medically fit to travel back to his country of origin.

Section (2)
Sufficiently clear.

Section (3)
The term "certain conditions" includes the occurrence of disasters in the form of natural disasters, non-natural disasters, and social disasters.

- Article 37
Sufficiently clear.
- Article 38
Sufficiently clear.
- Article 39
Sufficiently clear.
- Article 40
Sufficiently clear.
- Article 41
Sufficiently clear.
- Article 42
Section (1)
Sufficiently clear.
Section (2)
Sufficiently clear.
Section (3)
The term "an agency/institution" means including the
Indonesian Economic Trade Office.
Section (4)
Sufficiently clear.
- Article 43
Sufficiently clear.
- Article 44
Sufficiently clear.
- Article 45
Sufficiently clear.
- Article 46
Sufficiently clear.