

MINISTER OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA REGULATION
NUMBER 34 OF 2021

REGARDING

THE GRANTING OF IMMIGRATION VISA AND STAY PERMITS DURING THE
PERIOD OF HANDLING THE CORONA VIRUS DISEASE 2019 AND NATIONAL
ECONOMIC RECOVERY

WITH THE GRACE OF GOD ALMIGHTY

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

- Considering :
- a. whereas the Corona Virus Disease 2019 impacts the national economy;
 - b. whereas to support the national economic recovery, as well as taking into account the global spread of the Corona Virus Disease 2019, it is necessary to make adjustments regarding Immigration Visa and Stay Permits;
 - c. whereas the Minister of Law and Human Rights Regulation Number 27 of 2021 regarding Limitation of Entry of Foreigners to the Indonesian Territory During the Implementation of Emergency Restriction on Public Activities is no longer in accordance with the development of the state's situation, therefore it needs to be changed;
 - d. whereas based on the considerations as referred to in letter a, letter b, and letter c, it is necessary to stipulate the Minister of Law and Human Rights Regulation regarding the Granting

of Immigration Visa and Stay Permits During the Period of Handling Corona Virus Disease 2019 and National Economic Recovery.

- Bearing in Mind : 1. Article 17(3) of the Constitution of the Republic of Indonesia Year 1945;
2. Law Number 39 of 2008 regarding State Ministries (State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to State Gazette of the Republic of Indonesia Number 4916);
3. Law Number 6 of 2011 regarding Immigration (State Gazette of the Republic of Indonesia of 2011 Number 52, Supplement to State Gazette of the Republic of Indonesia Number 5216);
4. Government Regulation Number 31 of 2013 regarding the Implementing Regulation of Law Number 6 of 2011 regarding Immigration (State Gazette of the Republic of Indonesia of 2013 Number 68, Supplement to State Gazette of the Republic of Indonesia Number 5049), as has been amended several times, the latest by Government Regulation Number 48 of 2021 regarding the Third Amendment to Government Regulation Number 31 of 2013 regarding the Implementing Regulation of Law Number 6 of 2011 regarding Immigration (State Gazette of the Republic of Indonesia of 2021 Number 58, Supplement to State Gazette of the Republic of Indonesia Number 6660);
5. Presidential Regulation Number 44 of 2015 regarding Ministry of Law and Human Rights (State Gazette of the Republic of Indonesia of 2015 Number 84);

6. Minister of Law and Human Rights Regulation Number 29 of 2015 regarding the Organization and Operation of Ministry of Law and Human Rights (State Gazette of the Republic of Indonesia of 2015 Number 1473), as has been amended several times, the latest by Minister of Law and Human Rights Regulation Number 24 of 2018 regarding the Third Amendment to the Minister of Law and Human Rights Regulation Number 29 of 2015 regarding the Organization and Operation of Ministry of Law and Human Rights (State Gazette of the Republic of Indonesia of 2018 Number 1135);

HAS DECIDED:

To Stipulate: GRANTING OF IMMIGRATION VISA AND STAY PERMITS DURING THE PERIOD OF HANDLING THE CORONA VIRUS DISEASE 2019 AND NATIONAL ECONOMIC RECOVERY

Article 1

In this Ministerial Regulation, what is meant by:

1. Immigration is the movement of people who enter or exit the Indonesian Territory as well as its supervision in order to safeguard and uphold state sovereignty.
2. The State Territory of the Republic of Indonesia hereinafter referred to as the Indonesian Territory is the entire Indonesian Territory as well as specific zones defined under the law.
3. Corona Virus Disease 2019 hereinafter referred to as COVID-19 is an communicable disease that causes Severe Acute Respiratory Syndrome Coronavirus 2 (SARSCoV-2).
4. The Visa of the Republic of Indonesia, hereinafter referred to as Visa, is the written statement, either manually or electronically, which is given by the authorized official to conduct travel to the Indonesian Territory and becomes the basis for the granting of Stay Permit.

5. Stay Permit is the permit given to a Foreigner by immigration official or foreign affairs service official either manually or electronically to be in the Indonesian Territory.
6. Re-Entry Permit is a written permit granted by an immigration officer to a Foreigner holding a limited Stay Permit and a permanent Stay Permit to re-enter the Indonesian Territory.
7. Foreigner is a person who is not an Indonesian citizen.
8. Sponsor is a person or corporation that is responsible for the existence and activities of Foreigner while they are in the Indonesian Territory.
9. Person in Charge of Means of Transport is the owner, administrator, ship captain (*nahkoda*), ship master, a pilot captain or a driver of the means of transport.
10. Passenger is any person carried on board of the means of transport other than the crew.
11. Reverse Transcriptase-Polymerase Chain Reaction hereinafter abbreviated to RT-PCR is a laboratory examination to detect the presence of the genetic material of the COVID-19 virus.
12. Immigration Checkpoint is a checkpoint at seaports, airports, border-crossing stations or other checkpoints of entry and exit in Indonesian Territory.
13. Minister is the minister that organizes governmental affairs in the law and human rights.

Article 2

- (1) Foreigners holding a legal and valid Visa or Stay Permit can enter Indonesian Territory through certain Immigration Checkpoints after fulfilling the health protocols stipulated by the ministry or agency that carries out the handling of COVID-19.
- (2) A legal and valid Visa or Stay Permits as referred to in paragraph (1) consists of:
 - a. service Visa;
 - b. diplomatic Visa;
 - c. visit Visa;
 - d. limited stay Visa;
 - e. service Stay Permit;
 - f. diplomatic Stay Permit;
 - g. limited Stay Permit;
 - h. permanent Stay Permit.
- (3) Other than Foreigners holding Visa or Stay Permits as referred to in paragraph (2), conveyance crew who comes with its own means of transportation, Foreigners holding

Asia-Pacific Economic Cooperation Businessman Travel Card (KPP APEC) holders, as well as traditional border crossers may enter the Indonesian Territory.

- (4) Person in Charge of Means of Transport coming outside of the Indonesian Territory must ensure that each Passenger brings a valid COVID-19 negative RT-PCR result and evidence of having received a complete dose of COVID-19 vaccine.
- (5) The obligation to carry the COVID-19 negative RT-PCR result as referred to in paragraph (4) is exempted for conveyance crew entering the Indonesian Territory using yachts.
- (6) The obligation to have evidence of having received a complete dose of COVID-19 vaccine as referred to in paragraph (4) is exempted for Foreigners below 12 (twelve) years old.
- (7) Certain Immigration Checkpoints as referred to in paragraph (1) are determined by the Minister by taking into account the readiness of the regional government and the ministry or institution that carries out the handling of COVID-19.

Article 3

- (1) The Minister shall temporarily suspend the granting of visit Visa free and visit Visa upon arrival until the COVID-19 pandemic is declared over by the Government of the Republic of Indonesia.
- (2) The regulation regarding the diplomatic Visa free and service Visa free shall be conducted by the minister who carries out government affairs in the sector of foreign relations.

Article 4

- (1) The Minister has the authority to prohibit and deny entry to a Foreigner from certain countries with a high rate of spread of COVID-19.
- (2) Certain countries as referred to in paragraph (1) shall be determined by the Minister based on the information from the ministry or agency that carries out the handling of COVID-19.
- (3) The ministry or institution that carries out the handling of COVID-19 shall periodically provide information every 14 (fourteen) days to the Minister regarding a country with a high rate of spread of COVID-19.

Article 5

- (1) The application for a visit Visa and a limited stay Visa is submitted by the Sponsor to the Director General of Immigration based on the type of activity of the Foreigner in accordance with the provisions of the laws and regulations.
- (2) The application for a visit Visa and a limited stay Visa as referred to in paragraph (1) must obtain the approval of the Director General of Immigration.
- (3) Applications for visit Visa and limited stay Visa as referred to in paragraph (1) shall be submitted electronically in accordance with the provisions of laws and regulations by attaching:
 - a. evidence of having received the complete dose of COVID-19 vaccine;
 - b. statement letter of willingness to comply with all applicable health protocols in Indonesia; and
 - c. proof of ownership of health insurance/travel insurance which includes health financing, and/or a statement letter of the willingness to pay independently if affected by COVID-19 while in the Indonesian Territory.
- (4) Visit Visa and limited stay Visa as referred to in paragraph (1) may be issued electronically after payment of the Visa fee and Visa approval fee of the Director General of Immigration in accordance with the provisions of the laws and regulations in the sector of non-tax state revenue that is applicable to the Ministry of Law and Human rights.
- (5) The type of activity of Foreigner as referred to in paragraph (1) shall be determined by the Minister.

Article 6

- (1) Foreigners holding a Stay Permit who are in the Indonesian Territory and have not been able to return to their country of origin can be granted a new Stay Permit after obtaining a Visa.
- (2) The visa as referred to in paragraph (1) consists of:
 - a. visit Visa; or
 - b. limited stay Visa.
- (3) Visa as referred to in paragraph (1) is submitted electronically by the Sponsor to the Director General of Immigration by fulfilling the requirements in accordance with the provisions of laws and regulations through the following mechanisms:
 - a. submitting an application electronically in accordance with the provisions of laws and regulations; and

- b. payment of Visa fees and Visa approval fees of the Director General of Immigration in accordance with the provisions of the laws and regulations in the sector of non-tax state revenues applicable to the Ministry of Law and Human rights.

Article 7

- (1) The visit Visa as referred to in Article 6 paragraph (2) letter a shall also be valid as a visit Stay Permit.
- (2) Foreigners holding limited stay Visa as referred to in Article 6 paragraph (2) letter b, shall be granted a limited Stay Permit after reporting no later than 7 (seven) days to the Immigration Office whose working area includes the residence of the Foreigners.

Article 8

Foreigners who do not meet the provisions of the health protocol may be subject to immigration administrative action in accordance with the provisions of the laws and regulations.

Article 9

In certain circumstances, the Minister based on its authority may issue another policy relating to the immigration facilities and humanity reasons, as long as it provides for public benefit.

Article 10

Further provisions regarding the granting of Immigration Visa and Stay Permits during the period of handling COVID-19 and national economic recovery are regulated by the guidance stipulated by the Director General of Immigration.

Article 11

When this Ministerial Regulation comes into force, the Minister of Law and Human Rights Regulation Number 27 of 2021 regarding Limitation of Entry of Foreigners to the Indonesian Territory During the Implementation of Emergency Restriction on Public Activities (State Gazette of the Republic of Indonesia of 2021 Number 827), shall be revoked and declared invalid.

Article 12

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

For public cognizance, order the promulgation of this Ministerial Regulation with its placement in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta
on September 15, 2021

MINISTER OF LAW AND HUMAN RIGHTS
REPUBLIC OF INDONESIA,

signed

YASONNA H. LAOLY

Promulgated in Jakarta
on September 15, 2021

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

signed

BENNY RIYANTO