

Circular 34 - opening borders.

Summary, visa (B211, VITAS) will be issued again to enter Indonesia. Quarantine still in place and VOA still suspended.

REPUBLIC OF INDONESIA

No. 1044, 2021 KEMENKUMHAM. Visa. Residence Permit. COVID-19.

PEN. Revocation.

REGULATION OF THE MINISTER OF LAW AND HUMAN RIGHTS

REPUBLIC OF INDONESIA

NUMBER 34 YEAR 2021

ABOUT

GRANTING OF VISA AND IMMIGRATION STAY PERMIT FOR PERIOD

HANDLING OF THE SPREAD OF CORONA VIRUS DISEASE 2019

AND NATIONAL ECONOMIC RECOVERY

BY THE GRACE OF GOD ALMIGHTY

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

Considering:

- a. that the 2019 Corona Virus Disease pandemic has an impact on the national economy;
- b. that in order to support economic recovery national level, and taking into account the level of distribution
- c. Corona Virus Disease 2019 globally, needs to be done adjustments in granting Visas and Residence Permits Immigration;
- d. that the Regulation of the Minister of Law and Human Rights Number 27 of 2021 concerning Restrictions on Foreigners Entering the Territory of Indonesia during the Enforcement Period Restrictions on Emergency Community Activities are no longer appropriate with the development of the country's situation, so it needs to be replaced;
- e. that based on the considerations referred to in in letter a, letter b, and letter c, it is necessary to specify Regulation of the Minister of Law and Human Rights regarding Granting of Immigration Visas and Residence Permits in Period Handling Corona Virus Disease 2019 and Recovery National Economy;

2021, No.1044 -2-

In view of:

1. Article 17 paragraph (3) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 39 of 2008 concerning 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. Law Number 6 of 2011 concerning 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. Government Regulation Number 31 of 2013 concerning Implementing Regulations of Law Number 6 of 2011 concerning Immigration (State Gazette of the Republic of Indonesia of 2013 Number 68, Supplement to the State Gazette of the Republic of Indonesia Number 5049) as amended several times, most recently by Government Regulation Number 48 of 2021 concerning the Third Amendment to Government Regulation Number 31 of 2013 concerning Implementing Regulations of Law Number 6 of 2011 concerning Immigration (State Gazette of the Republic of Indonesia of 2021 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 6660);
5. Presidential Regulation Number 44 of 2015 concerning the Ministry of Law and Human Rights (State Gazette of the Republic of Indonesia of 2015 Number 84);
6. Regulation of the Minister of Law and Human Rights Number 29 of 2015 concerning Organization and Work Procedure of the Ministry of Law and Human Rights of the Republic of Indonesia (State Gazette of the Republic of Indonesia of 2015 Number 1473) as amended several times, most recently by Regulation of the Minister of Law and Human Rights Number 24 of 2018 concerning the Third Amendment to the Regulation of the Minister of Law and Human Rights Number 29 of 2015 concerning the Organization and Work Procedure of the Ministry of Law and Human Rights of the Republic of Indonesia (State Gazette of the Republic of Indonesia of 2018 Number 1135);

2021, No.1044

-3-

DECIDE:

To stipulate : GRANTING OF VISA AND IMMIGRATION STAY PERMIT IN HANDLING THE SPREAD OF CORONA VIRUS DISEASE 2019 AND NATIONAL ECONOMIC RECOVERY.

article 1

In this Ministerial Regulation, what is meant by:

1. Immigration is a matter of traffic of people entering or leaving the Indonesian Territory and its supervision in the context of maintaining the upholding of state sovereignty.
2. Territory of the Republic of Indonesia, hereinafter referred to as Territory of Indonesia, is the entire territory of Indonesia as well as certain zones determined by law.
3. Corona Virus Disease 2019 hereinafter referred to as COVID-19 is an infectious disease caused by Severe Acute Respiratory Syndrome Coronavirus 2 (SARSCoV-2).
4. Visa of the Republic of Indonesia, hereinafter referred to as Visa, is a written statement, either manually or electronically, given by an authorized official to travel to the Indonesian Territory and becomes the basis for granting a Stay Permit.
5. Stay Permit is a permit granted to a Foreigner by an immigration official or foreign service official either manually or electronically to be in the Indonesian Territory.
6. Re-entry Permit is a written permit given by immigration officials to Foreigners holding limited Stay Permits and Permanent Stay Permits to re-enter Indonesian Territory.
7. Foreigner is a person who is not an Indonesian citizen.
8. Guarantor is a person or corporation who is responsible for the presence and activities of Foreigners while in the Indonesian Territory.

9. The person in charge of the Transportation Equipment is the owner, manager, agent, skipper, captain of the ship, captain of the pilot, or driver of the transportation means concerned.
10. Passenger is any person on board the transportation means, except the crew of the transportation means.
11. Reverse Transcriptase-Polymerase Chain Reaction, hereinafter abbreviated as RT-PCR, is a laboratory examination to detect the presence of the genetic material of the COVID-19 virus.
12. Immigration Checkpoints are checkpoints at seaports, airports, cross-border posts, or other places as places of entry and exit from the Indonesian Territory.
13. Minister is the minister who carries out government affairs in the field of law and human rights.

Section 2

- 1) Foreigners holding valid and valid Visas or Stay Permits may enter Indonesian Territory through certain Immigration Checkpoints after fulfilling the health protocols set by the ministry or agency that carries out the handling of COVID-19.
 - a. A valid Visa or Stay Permit as referred to in paragraph (1) consists of:
 - b. Service visa;
 - c. Diplomatic visa;
 - d. Visit visa;
 - e. Limited residence visa;
 - f. official residence permit;
 - g. Diplomatic Residence Permit;
 - h. Limited Stay Permit; and
 - i. Permanent Residence Permit.
- 2) In addition to Foreigners holding Visa or Stay Permits as referred to in paragraph (2), crews of transportation means who come using their transportation means, Foreigners holding Asia-Pacific Economic Cooperation Business Travel Cards (KPP APEC), and traditional border crossers also can enter the Indonesian Territory.

2021, No.1044

-5-

(3) The person in charge of the Transport Equipment coming from outside the Indonesian Territory is obligated to ensure that every Passenger brings a valid COVID-19 negative RT-PCR result and proof of having received a complete dose of COVID-19 vaccine.

(4) The obligation to carry COVID-19 negative RT-PCR results as referred to in paragraph (4) is exempted for crews of transportation means entering the Indonesian Territory using yachts.

(5) The obligation to have proof of having received the complete dose of COVID-19 vaccine as referred to in paragraph (4) is excluded for Foreigners under 12 (twelve) years of age.

(6) Certain Immigration Checkpoints as referred to in paragraph (1) are determined by the Minister taking into account the readiness of the regional government and the ministry or agency that carries out the handling of COVID-19.

Article 3

(1) The Minister temporarily suspends the granting of visa-free visits and visit visas upon arrival until the COVID-19 pandemic is declared over by the Government of the Republic of Indonesia.

(2) The regulation regarding the exemption of diplomatic visas and free service visas is carried out by the minister who carries out government affairs in the field of foreign relations.

Article 4

(1) The Minister may prohibit and refuse entry to Foreigners from certain countries with a high spread of COVID-19.

(2) Certain countries as referred to in paragraph (1) are determined by the Minister based on 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 provides information periodically every 14 (fourteen) days to the Minister regarding a country with a high level of spread of COVID-19.

2021, No.1044 -6-

Article 5

(1) Application for a visit visa and a limited stay visa shall be submitted by the Guarantor to the Director General of Immigration based on the type of activity of the Foreigner in accordance with the provisions of the legislation.

(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 visas and limited stay visas 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 full dose of COVID-19 vaccine;
- b. statement letter willing 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 willing to pay independently if affected by COVID-19 while in the Indonesian Territory.

(4) Visit visas and limited stay visas as referred to in paragraph (1) may be issued electronically after payment of the Visa fee and Visa approval fee for the Director General of Immigration in accordance with the provisions of the laws and regulations in the field of non-tax state revenue applicable to the Ministry of Law and Human rights.

(5) The types of activities of Foreigners as referred to in paragraph (1) shall be determined by the Minister.

Article 6

(1) Foreigners holding a Stay Permit residing in the Indonesian Territory and unable to return to their country of origin may 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 residence visa.

(3) The visa as referred to in paragraph (1) is submitted by the Guarantor to the Director General of Immigration electronically

2021, No.1044

-7-

by fulfilling the requirements in accordance with the provisions of laws and regulations through the following mechanisms:

submitting an application electronically in accordance with the provisions of the legislation and

b. payment of Visa fees and Visa approval fees to the Director General of Immigration in accordance with the provisions of the legislation in the field 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) Foreigner holding a limited stay Visa as referred to in Article 6 paragraph (2) letter b, is 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 Foreigner.

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 legislation.

Article 9

In certain circumstances, the Minister based on his/her competence may determine other policies related to immigration facilities and humanitarian reasons, as long as they provide public benefits.

Article 10

Further provisions regarding the granting of Immigration Visas and Stay Permits in the period of handling COVID-19 and national economic recovery are regulated by guidelines set by the Director General of Immigration

2021, No.1044 -8-

Article 11

At the time this Ministerial Regulation comes into force, the Regulation of the Minister of Law and Human Rights Number 27 of 2021 concerning Restrictions on Foreigners Entering the Territory of Indonesia during the Enforcement Period of Restrictions on Emergency Community Activities (State Gazette of the Republic of Indonesia of 2021 Number 827), is revoked and declared invalid. .

Article 12

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

2021, No.1044

For public cognizance, ordering the promulgation of this Ministerial Regulation by placing it in the State Gazette of the Republic of Indonesia.

Set 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

DIRECTOR GENERAL

LAWS AND REGULATIONS

MINISTRY OF LAW AND HUMAN RIGHTS

REPUBLIC OF INDONESIA,

signed.

BENNY RIYANTO