

REGULATION OF THE MINISTER OF LAW AND HUMAN RIGHTS
NUMBER 34 OF 2021
ON
THE GRANTING OF VISA AND IMMIGRATION STAY PERMITS DURING THE
MITIGATION OF THE SPREAD OF CORONAVIRUS DISEASE 2019 AND NATIONAL
ECONOMIC RECOVERY

WITH THE BLESSING OF ALMIGHTY GOD

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

- Considering :
- a. that the 2019 Coronavirus Disease pandemic has an impact on the national economy;
 - b. that to support the recovery of the national economy, as well as to take into account the global spread of Coronavirus Disease 2019; it is necessary to make adjustments in the granting of Visa and Immigration Stay Permits;
 - c. that the Regulation of Minister of Law and Human Rights Number 27 of 2021 on Restrictions on Foreign Nationals Entering Indonesian Territory during the Implementation Period of Emergency Public Activity Restrictions is no longer in accordance with the recent development of the country's situation, so it needs to be replaced;
 - d. that based on the considerations as referred to in letters a, b, and c, it is necessary to issue the Regulation of the Minister of Law and Human Rights on the Granting of Visa and Immigration Stay Permits During the Mitigation of the Spread of Coronavirus Disease 2019 and National Economic Recovery;

- Observing : 1. Article 17 section (3) The 1945 Constitution of the Republic of Indonesia;
2. Law Number 39 of 2008 on Ministry of State (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 on 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 on Implementing Regulation on Law Number 6 of 2011 on Immigration (State Gazette of the Republic of Indonesia of 2013 Number 68, Supplement to State Gazette of the Republic of Indonesia Number 5049) as frequently amended and last by Government Regulation Number 48 of 2021 on Third Amendment of Government Regulation Number 31 of 2013 on Implementing Regulation on Law Number 6 of 2011 on Immigration (State Gazette of the Republic of Indonesia of 2021 Number 58, Supplement to State Gazette of the Republic of Indonesia Number 6660);
5. Regulation of the President of the Republic of Indonesia Number 44 of 2015 on 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 on Organization and Work Administration 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 frequently amended and last by Regulation of the Minister of Law and Human Rights Number 24 of 2018 on Third Amendment of Regulation of the Minister of Law and Human Rights Number 29 of 2015 on Organization and Work Administration of the Ministry of Law and Human Rights of the Republic of Indonesia (State Gazette of the Republic of Indonesia of 2018 Number 1135);

HAS DECIDED:

To enact : THE GRANTING OF VISA AND IMMIGRATION STAY PERMITS DURING THE MITIGATION OF THE SPREAD OF CORONAVIRUS DISEASE 2019 AND NATIONAL ECONOMIC RECOVERY

Article 1

In this Ministerial Regulation,

1. Immigration means the movement of people to enter or exit the Indonesian Territory and its oversight in order to safeguard and uphold state sovereignty.
2. The State Territory of the Republic of Indonesia, hereinafter referred to as Indonesian Territory means the entire Indonesian Territory and specific zones defined under the law.
3. Coronavirus Disease 2019, hereinafter referred to as COVID-19, is an infectious disease caused by Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV 2).
4. Visa of the Republic of Indonesia, hereinafter referred to as Visa means a written statement given by an authorized officer at Indonesia Missions Abroad or other places determined by the Government of the Republic of Indonesia containing an approval for a Foreign National to travel into the Indonesian Territory and a prerequisite for granting a Stay Permit.
5. Stay Permit means a permit granted to a Foreign National by an Immigration Officer or Indonesian Foreign Service officer to reside in the Indonesian Territory.
6. Re-entry Permit means a written permit granted by an Immigration Officer to a Foreign National holding a temporary Stay Permit and a permanent Stay Permit to re-enter the Indonesian Territory.
7. Foreign National means a person who is a non-Indonesian citizen.
8. Sponsor means an individual or a corporation responsible for the residency and activities of a Foreign National while residing in the Indonesian Territory.

9. The Person in Charge of the Means of Transport is the owner, administrator, agent, skipper, ship captain, pilot captain, or driver of the transportation means concerned.
10. Passenger means any person who is on the transportation means other than the crew.
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 Border Control means a checkpoint at seaports, airports, border-crossing stations, or other checkpoints of entry and exit in the Indonesian Territory.
13. Minister means the minister administering government affairs in law and human rights.

Article 2

- (1) Foreign Nationals holding a legal and valid Visa and/or Stay Permit will be allowed to enter the Indonesian Territory through designated Immigration Border Controls after undergoing the health protocol procedure determined by the ministry or agency mitigating the spread of Covid-19.
- (2) Visa and/or Stay Permit as referred to in section (1) consist of:
 - a. Official Visa;
 - b. Diplomatic Visa;
 - c. Visitor Visa;
 - d. Temporary Stay Visa;
 - e. Official Stay Permit;
 - f. Diplomatic Stay Permit;
 - g. Temporary Stay Permit; and
 - h. Permanent Stay Permit.
- (3) In addition to Foreign Nationals holding Visa and/or Stay Permit as referred to in section (2), crew members arriving by their transports, Asia-Pacific Economic Cooperation (APEC) Business Travel Card holder and Traditional Border Crossing pass/card holder will be allowed to enter Indonesia.

- (4) The Person in Charge of the Means of Transport arrives from abroad must ensure every passenger provides a valid declaration of Polymerase Chain Reaction (PCR) with a Covid-19 negative result and evidence of having received the full dose of COVID-19 vaccine.
- (5) The obligation to bring the negative COVID-19 RT-PCR results as referred to in section (4) is exempted for transportation crews entering the Indonesian Territory using yachts.
- (6) The obligation to have evidence of having received the full dose of COVID-19 vaccine as referred to in section (4) is excluded for foreign nationals under 12 (twelve) years of age.
- (7) Designated Immigration Border Controls, as referred to in section (1), is determined by the Minister subject to the capability of local governments and ministry or agency mitigating COVID-19.

Article 3

- (1) Minister temporarily suspends to grant a Visitor Visa exemption and Visa on arrival until the COVID-19 pandemic is declared over by the Government of the Republic of Indonesia.
- (2) Regulations regarding diplomatic Visa exemption and service Visa exemption are carried out by the minister administering government affairs in foreign relations.

Article 4

- (1) The Minister can prohibit and deny entry to Foreign Nationals 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 mitigating of COVID-19.
- (3) The ministry or agency that carries out the mitigating of COVID-19 provides information periodically every 14 (fourteen) days to the Minister regarding countries with a high rate of spread of COVID-19.

Article 5

- (1) Visitor Visa or Temporary Stay Visa application is made by a Sponsor to the Director General of Immigration in accordance with the provisions of laws and regulations.
- (2) Visitor Visa and Temporary Stay Visa, as referred to in section (1), require a Visa approval from the Director General of Immigration.
- (3) The application for a visitor Visa and a temporary stay Visa as referred to in section (1) is 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. a declaration letter willing to comply with all applicable health protocols in Indonesia; and
 - c. evidence of having health insurance/travel insurance which includes health financing and/or a declaration letter willing to pay all medical expenses independently if contracted by COVID-19 while in Indonesia.
- (4) Visitor Visa and temporary stay Visa, as referred to in section (1), can be granted electronically after payment of the Visa and Visa approval fee in accordance with the provisions of the laws and regulations on non-tax state revenues applicable to the Ministry of Law and Human Rights.
- (5) The types of activities of Foreign Nationals, as referred to in section (1) determined by the Minister.

Article 6

- (1) Foreign Nationals holding a Stay Permit who reside in the Indonesian Territory and have not been able to return to their country of origin may be granted a new Stay Permit after obtaining a Visa.
- (2) The Visas, as referred to in section (1), consists of:
 - a. Visitor Visa; or
 - b. Temporary stay Visa.
- (3) The Visas, as referred to in section (1), is submitted by the Sponsor to the Director General of Immigration electronically by

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

- a. apply electronically in accordance with the provisions of laws and regulations; and
- b. pay Visa fees and Visa approval fees in accordance with the provisions of laws and regulations on non-tax state revenues applicable to the Ministry of Law and Human Rights.

Article 7

- (1) The visitor Visa as referred to in Article 6 section (2) letter a, is also valid as a Visitor Stay Permit.
- (2) Foreign Nationals holding a temporary stay Visa, as referred to in Article 6 section (2) letter b, are granted temporary Stay Permits after reporting no later than 7 (seven) days to the Immigration Office whose working area covers the residence of the Foreign Nationals.

Article 8

Foreign Nationals who do not comply with 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, under his authorization, may determine other policies related to immigration facilities and humanitarian reasons, as long as it contributes public benefits.

Article 10

Further provisions regarding the granting of Visa and Immigration Stay Permits during the mitigation of the spread of COVID-19 and national economic recovery is regulated by guidelines stipulated by the Director General of Immigration.

Article 11

By the time this Ministerial Regulation comes into effect, the Regulation of Minister of Law and Human Rights Number 27 of 2021 on Restrictions on Foreign Nationals Entering Indonesian Territory during the Implementation Period of Emergency Public Activity Restrictions (State Gazette of the Republic of Indonesia of 2021 Number 827) is repealed and declared ineffective.

Article 12

This Ministerial Regulation comes into effect 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 Gazette of the Republic of Indonesia.

Enacted in Jakarta
on 15 September 2021

MINISTER OF LAW AND HUMAN
RIGHTS
THE REPUBLIC OF INDONESIA,

signed

YASONNA H. LAOLY

Promulgated in Jakarta
On 15 September 2021

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

Signed

BENNY RIYANTO