

Dated: October 15, 2020

BKPM Endorsement for Foreign Workers and Ministry of Law and Human Rights: Update Regulation on Visa & Stay Permit

Indonesia Investment Coordinating Board (BKPM) has issued an announcement letter No. 12/Pengumuman/A.5/2020 on October 13th 2020 regarding the Issuance of Endorsement for The Utilization of Foreign Worker (TKA) as Expert and/or Head of Company during COVID-19 Pandemic in accordance with The Ministry of Law and Human Rights Regulation (Permenkumham) No. 26 Year 2020 regarding Visa and Stay Permit in The Adaptation on New Normal.

Within the BKPM's announcement letter there are three significant points that being highlighted which are:

1. The mechanism of the Endorsement Issuance for Company Representative and/or Expert Foreign Worker (TKA) during COVID-19 is back to be in reference to the provision in the Presidential Regulation Number 20 Year 2018 on the Utilization of Foreign Worker (TKA).
2. In the issuance of licensing for the Utilization of Foreign Worker (TKA) as Expert and/or Head of Company, data reference done in the form of Online Single Submission (OSS) system integration in BKPM, online TKA in the Ministry of Manpower, and the Ministry of Justice and Human Rights.
3. Starting from October 12 2020, BKPM will no longer issue any recommendation/endorsement for Foreign Worker (TKA) as Expert and/or Head of Company during COVID-19 pandemic.

Further, within the Permenkumham No. 26 Year 2020 Article 9 Paragraph 2 states that "if a foreigner holds a Limited Stay Permit, Permanent Stay Permit, or a Re-Entry Permit that has expired and is outside the Indonesian Territory, such Stay Permit is deemed to have expired and must apply for a Visa to enter the Indonesian Territory."

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