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## General Corporate

### 1. [Bill on Job Creation](#)

Passing Date: 5 October 2020

Summary:

- According to the final version of the [Bill on Job Creation](#) obtained by Hukmonline team, the utilization of foreign employees is generally required to be addressed under specific mandatory Foreign Employee Recruitment Plans (*Rencana Penggunaan Tenaga Kerja Asing/RPTKA*), however, the following parties have now been exempt from this requirement: 1) Members of boards of directors and boards of commissioners who have certain share ownerships or shareholdings in accordance with the prevailing laws and regulations; 2) Diplomatic or consular staff of foreign representatives; and 3) Employees who are hired by employers to work within their production business sections but who stop working as a result of emergency conditions, vocational training, engagement in startups, business trips or research which is undertaken for specific periods.
- Relaxes requirements relating to employment terminations which are implemented for the following reasons, among others: 1) In order to improve company efficiency and productivity through a permanent cessation of business and without the relevant company sustaining any continuous losses for a period of two years or experiencing any force-majeure events; 2) If a company undergoes a suspension of payment or bankruptcy (previously a suspension of payment could not trigger a termination); and so forth.
- For more information, see ILB No. [No. 3973](#), ILD No. [685](#) and ILD No. [686](#).

### 2. Regulation of the President [No. 97 of 2020](#) on Ratification of the Agreement Between the Government of the Republic of Indonesia and the Government of the Republic of Singapore on the Promotion and Protection of Investments

Enforcement Date: 29 September 2020

Summary:

- Ratifies the Agreement Between the Government of the Republic of Indonesia and the Government of the Republic of Singapore on the Promotion and Protection of Investments ("**Agreement**"), which was initially signed by the Indonesian Government in Bali on 11 October 2018.
- In general, the Agreement addresses the following matters: 1) Scope of applicability; 2) Provisions relating to protection measures for investments that are made by a party's investors within the other party; 3) Provisions relating to the settlement of disputes which emerge between a party and investors from the other party or disputes which emerge between the parties; and 4) Other relevant aspects, including the promotion and facilitation of investments, as well as taxation.

### 3. Regulation of the Minister of Social Affairs [No. 9 of 2020](#) on Corporate Environmental and Social Responsibility

Enforcement Date: 31 August 2020

Summary:

- Business entities are required to implement corporate environmental and social responsibility, which should at least address the following areas: 1) Social welfare; 2) Education; 3) Health; 4) Arts and culture; 5) Religion; 6) Entrepreneurship; 7) Infrastructure; and 8) Environment.
- The scope of any corporate environmental and social responsibility efforts should encompass the provision of basic social services within the relevant businesses themselves, as well as the implementation of social protections and security among employees and their families working outside the direct employee of the relevant businesses.
- Moreover, corporate environmental and social responsibility should also be conducted outside the scope of business entities and should encompass efforts to increase general public social welfare within areas located around business entities, as well as on a national level. These efforts should include: 1) Prioritizing work opportunities for communities located around business entities, according to the needs and requirements of said business entities; 2) Empowerment, guarantees, protections and social rehabilitation for communities located around business entities that require social-welfare services; 3) Assisting with community environmental facilities and infrastructure around business entities; and 4) Developing human-resource potential in areas around business entities.
- Meanwhile, business entities should also implement efforts at corporate environmental and social responsibility which are national in scope and which should comprise: 1) Disaster management; 2) Implementation of national priority programs involving community welfare; and 3) Efforts to resolve social problems in other areas.
- Corporate environmental and social responsibility should be implemented through the following mechanisms: 1) Directly by business entities; 2) Through third parties; 3) In partnership with local communities; and/or 4) In collaboration with other business entities in the form of consortiums.

### 4. Regulation of the Central Bureau of Statistics [No. 2 of 2020](#) on Indonesian Standard Industrial Classification

Enforcement Date: 24 September 2020

Summary:

- The Indonesian Standard Industrial Classification (*Klasifikasi Baku Lapangan Usaha Indonesia – “KBLI”*) involves the classification of all Indonesian economic activities which result in products/outputs in the form of goods or services. This classification process is based on business fields which are used as standard reference and a tool for the collection, coordination, integration and synchronization of statistics.

- In essence, the 2020 KBLI classifies Indonesian business sectors into 21 categories, from Category A to Category U, and each category corresponds to a certain business sector.
5. Regulation of the Governor of the Special Capital City of Jakarta [No. 101 of 2020](#) on the Amendment to Regulation of the Governor of the Special Capital City of Jakarta [No. 79 of 2020](#) on the Implementation of Discipline and Law Enforcement Concerning Health Protocols in an Attempt to Prevent and Control Corona Virus Disease 2019

Enforcement Date: 9 October 2020

Summary:

- During the reimplementation of transitional large-scale social restrictions (*pembatasan sosial berskala besar*/PSBB), businesses, managers, organizers or persons-in-charge of offices, working places, business premises, industrial premises, hotels/similar lodgings and tourist attractions will still be required to implement public health protection measures, which now include the following: 1) Recording of visitor data for the purpose of epidemiology tracing; 2) Implementation of temporary closures for periods of 3 x 24 hours for disinfecting and cleaning purposes; and 3) Provision of health protection to all workers who are exposed to Corona Virus Disease 2019 (“COVID-19”). In addition, the above-mentioned parties are still required to limit the number of persons who are operational within a workplace at any given time, although a limit of 50% of maximum capacity has not been specified this time, as was the case under the previous regulation.
- The obligation to record visitor data also applies to the managers, organizers and persons-in-charge of houses of worship and food stalls/diners/cafes/restaurants.
- Educational institutions must prohibit students from engaging in any group activities which could violate the prevailing health protocols and should also encourage parents to prohibit their children from doing so.
- Leaders/persons-in-charge of workplaces/locations of activities are required to temporarily halt all activities taking place within said locations for a period of 3 x 24 hours if any employee(s) and/or person(s) who come into close contact with employee(s) are deemed to be suspected, probable or confirmed COVID-19 cases. Previously, such temporary closures were only required for periods of 1 x 24 hours.
- Any persons who are exposed to COVID-19 but who violate the obligation to undergo an independent isolation process will be forcibly picked-up and placed in controlled isolation facilities.

## Banking

6. Regulation of Bank Indonesia [No. 22/15/PBI/2020](#) on the Third Amendment to Regulation of Bank Indonesia [No. 19/3/PBI/2017](#) on Short-Term Liquidity Loans for Conventional Commercial Banks

Enforcement Date: 29 September 2020

Summary:

- Amends the following: 1) Collateral requirements for Short-Term Liquidity Loans (*Pinjaman Likuiditas Jangka Pendek – “PLJP”*) for conventional commercial banks (“**Banks**”); 2) Provisions on the determination of said collateral; 3) Required documents for applications to obtain PLJP, extend PLJP periods and increase PLJP plafonds.
- Adds a new requirement, specifically, Banks are now required to implement a self-assessment process that addresses their compliance with the requirements prior to the submission of their PLJP applications.
- Reduces the margin that is used for calculations of daily interest which is charged by Bank Indonesia (“**BI**”) to Banks that are receiving PLJP, from 400 basis points to 100 basis points.
- Clarifies that: 1) Banks which fail to repay their PLJP in due time will be declared in default and should subsequently voluntarily hand over their PLJP collateral to BI for execution purposes; and 2) BI is authorized to execute PLJP collateral or sell/transfer receivables in relation to PLJP without the approval of the relevant Banks.

7. Regulation of Bank Indonesia [No. 22/16/PBI/2020](#) on the Third Amendment to Regulation of Bank Indonesia [No. 19/4/PBI/2017](#) on Sharia Short-Term Liquidity Financing for Sharia Commercial Banks

Enforcement Date: 29 September 2020

Summary:

- The following elements have now been amended: 1) Collateral requirements for Sharia Short-Term Liquidity Loans (*Pinjaman Likuiditas Jangka Pendek – “PLJPS”*) for sharia commercial banks (“**Banks**”); 2) Provisions on the determination of said collateral; 3) The documents which are required as part of applications to obtain PLJPS, extend PLJPS periods and increase PLJPS plafonds.
- Adds a new requirement, specifically, Banks are now required to implement a self-assessment process that addresses their compliance with the relevant requirements prior to the submission of their PLJPS applications.
- Clarifies that: 1) Banks which fail to repay their PLJPS in due time will be declared to be in default and should subsequently voluntarily hand over their PLJP collateral to BI for execution purposes; and 2) BI is authorized to execute PLJPS collateral or sell/transfer receivables in relation to PLJP without the approval of the relevant Banks.

8. Regulation of the Minister of Finance [No. 154/PMK.06/2020](#) on the Management of the Assets of the Ex-Indonesian Bank Restructuring Agency by the Minister of Finance

Enforcement Date: 12 October 2020

Summary:

- The Minister of Finance is responsible for managing assets from the Indonesian Bank Restructuring Agency (*Badan Penyehatan Perbankan Nasional – “BPPN”*), which generally comprise the following: 1) Credit assets; 2) Property assets; 3) Inventory assets; 4) Share assets; 5) Bond assets; 6) Mutual-fund assets; 7) Nostro assets; and 8) Transferable member club assets.
- In terms of credit assets, the types of assets which are now being managed comprise the following: 1) Credit assets which are equipped with media or documents which address the transfer of assets from certain banks which were subject to the restructuring program to the BPPN, also known as asset transfer kit (“**ATK**”); 2) Credit assets which are not equipped with ATK (i.e. non-ATK credit assets); 3) Receivables which originated from the settlement of the obligations of controlling shareholders of banks which were subject to the restructuring program; and 4) Credit assets which were formerly managed by PT Perusahaan Pengelola Aset (Persero).
- The management of credit assets currently comprise the following measures: 1) Administration; 2) Restructuring; 3) State-equity participation; 4) Sale; 5) Transfer of administration to the Committee for State Receivables Management; 6) Assets settlement; 7) Execution of collateral; 8) Settlement of credit assets with outstanding loans amounting to IDR 500,000; and 9) Submission of write-off proposals.
- For more information, see ILB [No. 3390](#).

## Capital Market

9. Decree of the Board of Directors of PT Bursa Efek Indonesia No. [KEP-00089/BEI/10-2020](#) on the Relaxation of Reporting Deadlines for Annual Financial Reports, Quarterly Financial Report I, Mid-Term Financial Reports and Annual Reports,

Enforcement Date: 15 October 2020

Summary:

- Indonesian Stock Exchange (“IDX”) has now extended the deadlines for listed companies and issuers regarding several reporting obligations via the SPE-IDXnet platform.
- The deadlines for the following reports have now been extended by a further two months after their initial deadlines: 1) Annual financial reports; 2) Annual reports; and 3) First-quarter financial reports. In addition, the deadlines for the following reports have now been extended by a further one month after their initial deadlines: 1) Mid-term financial reports; and 2) Third-quarter financial reports.
- However, the IDX has stated that if listed companies or issuers are required to submit the abovementioned reports in compliance with different deadlines, then the earliest deadlines will prevail.

10. Decree of the Director of PT Bursa Efek Indonesia No. [KEP-00078/BEI/09-2020](#) on New Reporting Times for Securities Transactions through the Securities Transaction Report Retrieval System

Enforcement Date:

Summary:

- The reporting times for securities transactions through the Securities Transaction Report Retrieval System have now been altered to every business day from 09.30.00 – 16.30.00. The prior reporting times were 09.30.00 – 17.00.00 (according to the previously applicable Decree of the Director of PT Bursa Efek Indonesia No. [Kep-00028/BEI/03-2020](#) on the Reporting of Securities Transactions through the Securities Transaction Report Retrieval System, which has now been revoked).
- The new reporting times (09.30.00 – 16.30.00) become effective on 29 September 2020 and will apply until a date that has yet to be determined.

11. Decree of the Board of Directors of PT Bursa Efek Indonesia [No. Kep-00077/BEI/09-2020](#) on Changes in Trading Hours for Government Bond Transactions Through the Electronic Trading Platform System

Enforcement Date: 28 September 2020

Summary:

- Re-enforces provisions relating to trading hours for government bonds (*Surat Utang Negara* – “SUN”) through the Electronic Trading Platform (ETP) system and deadlines for the submission of transaction cancellations, as stipulated under Appendices I.13, III.3 and III.8 to Decree of the Board of Directors of PT Bursa Efek Indonesia [No. Kep-00037/BEI/03-2017 of 2017](#) on Regulations for the Trading of Government Bonds Through the Electronic Trading Platform System.
- Revokes Decree of the Directors of PT Bursa Efek Indonesia [No. Kep-00032/BEI/03-2020](#) on Changes in Trading Hours for Government Bond Transactions Through the Electronic Trading Platform System.

12. Decree of the Board of Directors of PT Bursa Efek Indonesia [No. Kep-00076/BEI/09-2020](#) on Changes in Trading Times for Debt Securities Completed Through the Fixed-Income Trading System (FITS)

Enforcement Date: 28 September 2020

Summary:

- Revokes provision numbers (9) and (10) of Decree of the Board of Directors of PT Bursa Efek Indonesia [No. Kep-00031/BEI/03-2020](#) on Changes in Trading Times for Exchange Transactions.
- Re-enforces clause C.2 regarding trading hours through the regular market and negotiation market, as stipulated under Regulation No. II.F on General Provisions for the Trading of Debt Securities Through the Exchange (Decree of the Board of Directors of PT Bursa Efek Surabaya [No. SK-007/LGL/BES/VIII/2006 of 2006](#)).

13. Decree of the Board of Directors of PT Bursa Efek Indonesia [No. KEP-00079/BEI/10-2020](#) on the Amendment to Guidelines for Independent Reviewers

Enforcement Date: 1 October 2020

Summary:

- The person in charge and one member of a review team of an independent reviewer are now required to at least possess valid certificates of expertise as limited-marketing broker-dealer representatives (*Wakil Perantara Pedagang Efek* – “WPPE”) or limited-marketing WPPE licenses.
- The above requirement must be fulfilled by 31 December 2021.



## Employment

14. Regulation of the Minister of Manpower [No. 18 of 2020](#) on the Amendment to Regulation of the Minister of Manpower [No. 21 of 2016](#) on Decent Living Standards

Enforcement Date: 9 October 2020

Summary:

- Replaces several components and types of decent living standards and simultaneously repeals and replaces Appendix I to Regulation of the Minister of Manpower [No. 13 of 2002](#) on Decent Living Standard Components and Implementation in Stages, which previously listed components and types of decent living standards. The new components are elaborated upon below.
- Food and beverages: 1) The total amount of drinking water has now been increased by 3 x 19-liter containers; 2) The total amount of milk powder has now been increased to 1 kg (from the previous figure of 0.90 kg); 3) The total amount of sugar has now been reduced to 1.2 kg (from the previous figure of 2 kg); 3) The total amount of cooking oil has now been reduced to 1.2 kg (from the previous figure of 2 kg); 4) The total amount of vegetables has now been increased to 7.5 kg (from the previous figure of 7.2 kg); and 5) The total amount of fruit (equivalent to bananas or papayas) has now been reduced to 4.5 kg (from the previous figure of 7.5 kg).
- Clothes: 1) Islamic trousers or clothing have now been changed to 4.5/12 pieces (previously 6/12 pieces); 2) Belts have now become 1/24 pieces (previously 1/12 pieces); 3) Short-sleeved shirts have now become 4.5/12 pieces (previously 6/12 pieces); 5) T-shirts have now become 4.5/12 pieces (previously 6/12 pieces); 6) Sarongs have now become 2/12 pieces (previously 3/24 sheets); 7) The Al-Qur'an or other holy books have now been set at 1/24 books.
- Housing: 1) Rental or lease of a room measuring 16 square meters; 2) Aluminum kettles with capacities of 1.5 liters; 3) Aluminum skillets of 26 cm in size (previously 32 cm); 4) Aluminum pans measuring 24 cm and amounting to 1/24 pieces (previously 32 cm); 5) Rice cookers with capacities of 1.2 liters and which comply with the Indonesian National Standard (*Standar Nasional Indonesia – “SNI”*); 6) Electricity provided by the State Electricity Company at a 1300 VA capacity set at 80 Kwh; 7) Clean water amounting to 3.5 cubic meters; 8) 800 milliliters of dish soap; 9) Irons which comply with the SNI; and 10) Stainless-steel kitchen knives.
- Education: Adds 21-inch LED televisions, non-refillable pens or pencils, and no longer provides reading materials or radios.
- Health: 1) Toothbrushes have now been changed to 6/12 pieces (previously 3/12); 2) Cotton buds amounting to 4/12 boxes of 50 have now been added; 3) One can of 325 ml liquid mosquito repellent (previously three boxes); 4) Plastic combs amounting to 2/12 pieces; and 5) Sanitary napkins have now been removed from the list.
- Transportation and Communications, as well as Recreation, Savings and Social Security: 1) Mobile phone credits and data packets or the equivalent of two gigabytes have now been added; and 2) 2% has now been added to social security

## Energy

### 15. Regulation of the Minister of Finance [No. 140/PMK.06/2020](#) on the Management of Upstream Oil-and-Gas State Property

Enforcement Date: 28 September 2020

Summary:

- Upstream Oil-and-Gas State Property (*Barang Milik Negara Minyak dan Gas Bumi – “Oil-and-Gas BMN”*) comprises the following types of objects: 1) Land; 2) Capital assets; 3) Inventory assets; 4) Supply materials; 5) Residual production waste; 6) Residual operational waste; and 7) Any goods deriving from contracts of work (*kontrak karya*).
- Specifies six methods which can be employed during the usage of any Oil-and-Gas BMN, specifically: 1) Joint usage; 2) Leases between contractors; 3) Transfers; 4) Usage of Ex-Contractor Oil-and-Gas BMN; 5) Usage of Oil-and-Gas BMN by contractors operating under extended Cooperation Contracts; and 6) Empowerment (*pendayagunaan*).
- The utilization of Oil-and-Gas BMN by other parties may be implemented in relation to the following types of Oil-and-Gas BMN: 1) Oil-and-Gas BMN that are held by contractors; and 2) Oil-and-Gas BMN that are held by the users of goods.
- For more information, see ILB [No. 3981](#).

### 16. Regulation of the Minister of Finance [No. 136/PMK.02/2020](#) on Procedures for the Provision, Payment and Accountability of Assistance for the Payment of Electricity Bills to the State Electricity Company (Persero) PT Perusahaan Listrik Negara for Customers under Industrial, Business and Social Classifications in Order to Implement the National Economic Recovery Program

Enforcement Date: 22 September 2020

Summary:

- Assistance for payments of electricity bills may be granted in the following forms: 1) Assistance for the payment of any difference between real usage and minimum usage amount, as set by the Minister of Energy and Mineral Resources or under the relevant power-purchase agreements; and 2) Subscription-fee waivers.
- Assistance in the first form is to be granted to customers operating under industrial, business and social classifications that are subscribers to electrical-power supplies amounting to 1300 VA and above, while assistance in the second form is granted to the following parties: 1) Customers operating under industrial and business classifications that are subscribers to electrical-power supplies amounting to 900 VA; and 2) Customers operating under social classifications that are subscribers to electrical-power supplies amounting to 220 VA, 450 VA and 900 VA.
- The above-outlined assistance is to be provided in relation to electricity bills which are issued between July 2020 and December 2020.

## General Financial Services

17. Regulation of the Minister of Finance [No. 138/PMK.05/2020](#) on Procedures for the Granting of Interest Subsidies/Margin Subsidies to Support the Implementation of the National Economic Recovery Program

Enforcement Date: 28 September 2020

Summary:

- Broadens the scope of the types of the debtors deemed eligible to receive interest subsidy/margin subsidy facilities (“**Credit Facilities**”) to include the following parties: 1) Debtors with housing ownership credits (*kredit kepemilikan rumah/KPR*) for houses of up to type 70; and 2) Debtors with motor-vehicle loans (*kredit kendaraan bermotor*) who are using their vehicles for productive business purposes (i.e. motorcycle taxis and/or informal businesses).
- Under this new regulation, the requirements which have to be met by each debtor are differentiated based on the distributors of the relevant credit facilities (i.e. banks and financing companies or government credit-program distribution agencies).
- For more information, see ILB [No. 3978](#).

18. Regulation of the Financial Services Authority [No. 45/POJK.03/2020](#) on Financial Conglomerates

Enforcement Date: 16 October 2020

Summary:

- Through the introduction of this new regulation, several criteria must be fulfilled in order for a certain group of financial services institutions to be identified as a financial conglomerate, specifically: 1) The total assets of the group must be greater than or equal to IDR 100 trillion, which should be calculated based on financial reports for the last positions for June and December of the relevant year; and 2) The group must be engaging in business activity that involves more than one type of financial services institution (i.e. banking, insurance and reinsurance institutions, financing institutions and/or securities institutions).
- Once identified, a financial conglomerate is also required to retain its business structure, which should comprise at least one main financial services institution operating within the financial conglomerate (“**Primary Entity**”) and subsidiary companies and/or companies that are related to subsidiary companies.
- The Primary Entity is obliged to prepare and possess a corporate charter and submit the document of corporate charter to the Financial Services Authority (OJK) by 31 December 2020 at the latest, otherwise, a Primary Entity may have administrative fines imposed upon it ranging IDR 1 million to IDR 30 million.
- For more information, see ILB [No. 3992](#).

## Infrastructure and Construction Services

### 19. Regulation of the Minister of Public Works and Public Housing [No. 22 of 2020](#) on Stimuli for Toll-Road Businesses Affected by the Corona Virus Disease 2019 Pandemic

Enforcement Date: 21 September 2020

Summary:

- The Indonesian Government will provide stimuli in the following forms to toll-road businesses (*badan usaha jasa tol* - “BUJT”) and/or state-owned enterprises (*badan usaha milik negara* - “BUMN”) operating toll-road businesses which are being negatively affected by the Corona Virus Disease 2019 pandemic: 1) Extension of concession periods; 2) Adjustment of toll-road tariffs and initial toll-road tariffs; 3) Postponement of the investigation obligation for certain BUJT and BUMN; 4) Extension of construction ending periods; 5) Extension of the deadlines for the signing of financing agreements and/or the fulfillment of the requirements for loan disbursements; 6) Settlement of certain BLU-BPK obligations; and 7) Land bailout refunds from LMAN in relation to investment costs.
- These stimuli may be provided during either the construction phase and/or the operation and maintenance phase under certain conditions and criteria that differ dependent on the phase.
- The procedure for the provision of the above-listed stimuli breaks down as follows: 1) BUJT and/or BUMN submits a stimuli application to the Minister of Public Works and Public Housing (“Minister”) through the head of the Toll-Road Regulatory Agency (“BPJT”); 2) The BPJT will then approve the stimuli application within 30 days of the date of receipt of the application; 3) The BPJT will then evaluate the application for a maximum period of 60 days from the date of receipt of the application; 4) Based on the evaluation results, the BPJT will then submit a recommendation that addresses the form of the relevant stimuli to the Minister; and 5) The Minister will then determine the stimuli and this will then be followed up by the amendment of the relevant Toll-Road Business Agreement.

### 20. Regulation of the Minister of Public Work and Public Housing [No. 25 of 2020](#) on the Amendment to Regulation of the Minister [No. 1 of 2020](#) on Standards and Guidelines for the Procurement of Build-Plan Integrated Construction Work Through Suppliers

Enforcement Date: 29 September 2020

Summary:

- Establishes the concept of the technical team, which are teams created by government ministries/agencies or by regional governments in order to assist, provide input and conduct certain tasks relating to the procurement of design-and-build construction work, including: 1) Reviewing of budget thresholds for design-and-build works; 2) Assisting with meetings which address contract signing preparation and which are held by construction-service providers and commitment-making officials (*pejabat pembuat komitmen*); 3) Participation in the implementation of construction contracts; and so forth.

- Technical teams may replace construction-management consultants during the implementation of design-and-build work until such a time that said construction-management consultants are available to work. In doing so, a technical team may be assisted by experts.
- For more information, see ILB [No. 3983](#).

## Land and Property

21. Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency [No. 12 of 2020](#) on Procedures for the Implementation of Rice-Field Data Verifications Against Land and Spatial-Planning Data, Determinations of Maps of Protected Rice Fields and the Provision of Recommendations for the Conversion of Land Utilization for Protected Rice Fields

Enforcement Date: 1 September 2020

Summary:

- Verifications of rice-field data against land and spatial-planning data (“**Data Verifications**”) are to be conducted based on the interpretation results of satellite imaging, as well as on the results of rice-field data inventories conducted by the Minister of Agrarian Affairs and Spatial Planning (“**Minister**”). Data Verifications themselves are to be implemented in the following stages: 1) Identification of land rights and licensing, land conversions and functions of crops for spatial planning, which is to be conducted through data collections and field surveys; 2) Analysis of identification results, which involves the processing of identified spatial and textual data; and 3) Clarification of stakeholders based on the results of this analysis. These clarification results should then be incorporated into Data Verification results documents that contain maps of the relevant verified-rice fields which are drawn up to a scale of 1:5000.
- Determinations of maps of protected rice fields (“**Maps**”) are to be conducted based on the suggestions of an integrated team and affirmed through the issuance of official Decrees of the Minister. Maps themselves will then be utilized by the government during any determinations of agricultural land for sustainable crops within the relevant spatial plans.
- Any protected rice fields which are indicated on a Map cannot be converted into agricultural land for sustainable crops without an official land-conversion recommendation (“**Recommendation**”) being issued by the Minister. The procedure for Recommendation applications breaks down follows: 1) Submission of Recommendation application to the Head of the Land Office; 2) The Head of the Land Office will then deliver the application, along with the results of an analysis, to the Minister; 3) The Minister will then issue a Recommendation if an application fulfills the criteria for land procurement in the public interest or disaster-based infrastructure.

22. Circular of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency [No. 11/SE-HK.02.02/VIII/2020](#) on the Implementation of the Obligations of Corporations in Order to Facilitate the Development of Community Plantations

Enforcement Date: 27 August 2020

Summary:

- Limited-liability companies wishing to secure the right to cultivate (*hak guna usaha* – “**HGU**”) for areas of  $\geq 250$  acres must facilitate the development of community plantations. Said community plantations must cover at least 20% of the proposed HGU areas.
- The above-stated obligation also applies to: 1) Limited-liability companies that already secured HGU prior to the enforcement of this Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency (“**Minister**”) but which are not yet in compliance with it; or 2) Recipients of HGU from the parties outlined in point (1) above.
- This facilitation is designated for communities surrounding HGU areas, which encompass: 1) Farmers whose lands are used for the development of plantations; 2) Farmers who are domiciled near plantation locations within a single regency; and 3) Low-income communities (which are to be prioritized).
- The forms of facilitation differ based on the status of the HGU applications (i.e. first-time applications or extension/renewal applications) and may also be implemented through the provision of loans, profit-sharing and other forms of partnership or funding arrangements.

23. Letter of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency [No. 319/S-300.UK.01.01/IX/2020](#) on the Measurement and Mapping of Customary Land Belonging to Customary-Law Communities and the Prohibition on Separations

Enforcement Date: 2 September 2020

Summary:

- Customary land (*tanah ulayat*) belonging to customary-law community units may be utilized as objects of measurement and mapping provided that the following matters are clearly defined: 1) Community and customary-law institutions; 2) The areas in which customary rights apply; 3) Connection, linkage and dependence between customary-law communities and territories; 4) The authority to jointly regulate the use of land within the area of the customary-law community concerned, based on provisions of customary law which are still valid and which are obeyed by members of the community.
- The stages for the administration of customary land belonging to customary-law communities comprise the following: 1) Measurements of the boundaries that have been determined for plots of customary land belonging to customary-law communities; 2) Mapping of the boundaries of plots of customary land belonging to customary-law communities on the registration map; 3) Issuance of Parcel Identification Numbers (*Nomor Identifikasi Bidang*) for customary lands belonging to customary-law community units with regency or municipal territorial units which have been

integrated into the Computerization of Land Activities (*Komputerisasi Kegiatan Pertanahan/KKP*); 4) Recordation in the land register.

- Plots of customary land belonging to customary-law communities are prohibited from being measured in order to be separated (*pengukuran pemecahan*) on behalf of individuals, except if such separations are permitted under other regulations.

24. Letter of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency [No. 318/S-300.PU.04.01/IX/2020](#) on the Optimization of the Utilization of Licensed Cadaster Surveyors (SKB) and Licensed Cadaster Surveyor Service Offices (KJSKB)

Enforcement Date: 2 September 2020

Summary:

- The duties of Licensed Cadaster Surveyors (*Surveyor Kadaster Berlisensi – “SKB”*) include the implementation of surveys, measurements and mapping activities within the context of Complete Systematic Land Registration (*Pendaftaran Tanah Sistematis Lengkap/PTSL*) activities, sporadic first-time land registrations, maintenance of land registration data, land redistribution, land consolidations, land acquisitions, transmigration, thematic surveys and mapping, as well as other land and spatial activities and services. Said duties also apply to the State Civil Apparatus (*Aparatur Sipil Negara – “ASN”*).
- SKB work in specific areas and must take the following considerations into account: 1) Measurement officers must not only have an understanding of technical aspects but also of relevant juridical and administrative aspects, as well as an adequate socio-cultural understanding (local wisdom) of relevant local communities; and 2) Measurement officers are responsible for the results of activities undertaken at all times. This means that it would be preferable to anticipate any potential problems that may have a legal dimension.
- In carrying out their duties both ASN and SKB measuring officers are required to carry out work based on letters of assignment which are issued by authorized officials. Moreover, work should also be carried out on an independent basis (i.e. not through the representation of other parties). In the event that the above prohibitions are violated in any way, then sanctions will be imposed.

25. Letter of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency [No. 317/S-300.UK.01/IX/2020](#) on Approvals and the Stipulation of Boundaries and Fit-for-Purpose (FPP) Measurements to Accelerate Land Mapping

Enforcement Date: 2 September 2020

Summary:

- Placements or installations of boundary markings at each corner of a given plot of land, including their maintenance, must be implemented by the holders of land rights or their proxies after they have first obtained approvals from interested parties or from the holders of rights over bordering areas of land.

The determination of boundaries is to be carried out based on the designation of boundaries by the holders of land rights or their proxies and after approvals from the holders of rights over bordering areas of land have been obtained.

- Work maps used during the application of the Fit-For-Purpose (“FFP”) method should comprise land-base maps which can take the form of High-Resolution Satellite Images (*Citra Satelit Resolusi Tinggi/CSRT*) or aerial photographs that have been orthorectified. If a land map is not yet available, then another map can be used which contains data sources or metadata and which has levels of accuracy which are in accordance with the provisions. Moreover, the identification and delineation of any land-plot boundaries are to be carried out in the field based on boundaries that are marked on the land-base map (visual boundaries). Identified field boundaries can take the form of paddy fields, fences and/or parapets.
- The FFP method may be applied in open areas with relatively flat topographies, as well as in non-residential, non-commercial and non-industrial areas in which the land values remain relatively low. Location selections are to be determined by relevant local land office heads. It should be noted that the results of the delivery of all plots of land will be outlined in a measure figure, which should subsequently be used in order to reconstruct the boundaries of the relevant plots of land concerned if required.

## 26. Regulation of President [No. 100 of 2020](#) on the Third Amendment to Regulation of the President [No. 19 of 2015](#) on Secondary Housing Financing

Enforcement Date: 12 October 2020

Summary:

- Broadens measures for secondary housing financing companies (*perusahaan pembiayaan sekunder perumahan* – “**Companies**”) as regards support for the sustainable development of the secondary housing financing market, as follows: 1) Granting of loan facilities in order to create sustainable ownership, occupancy and availability in relation to housing and/or residencies; 2) Improvement of the capacities of any related parties engaged in the organization of housing and/or residencies; and 3) Other activities relating to housing and/or residencies, provided that these activities are first approved by the relevant shareholders.
- Removes the limitation on the period for the granting of loan facilities mentioned above. Previously, this period was limited to 15 years.
- Companies may now incorporate the purchase of financial assets from their initial creditors (i.e. banks or other financial institutions that possess receivables from the granting of housing credits, including collateral relating to said credits) into their financial statements in order to fulfill the economic eligibility criteria for securitization purposes. In addition, the 80% limitation for said purchases has now been eliminated.



- The Financial Services Authority (*Otoritas Jasa Keuangan* – “OJK”) is now authorized to supervise activities conducted by Companies and thus Companies must also now submit relevant reports, as required by the OJK.
- Eliminates provisions which only allowed Companies to participate directly in business entities that were directly engaging in the development of secondary housing financing.

## Manufacturing and Industry

### 27. Regulation of the Minister of Industry [No. 27 of 2020](#) on Specifications, Development Roadmaps and Domestic Component Level Calculation Provisions For Battery-Powered Electric Vehicles

Enforcement Date: 17 September 2020

Summary:

- The specifications of battery-powered electric vehicles (“**Electric Vehicles**”) encompass the following functions: 1) Use of electric-motor power; 2) Battery capacities; and 3) Electricity-power recharging via charging stations or battery swaps.
- Domestic component level (*tingkat komponen dalam negeri* – “**TKDN**”) values for Electric Vehicles are to be calculated in relation to the following aspects and compositions: 1) Manufacturing aspect for primary components (55% of the total TKDN value); 2) Manufacturing aspect for supporting components (15% of the total TKDN value); 3) Assembly aspect (10% of the total TKDN value); and 4) Development aspect (20% of the total TKDN value). These values are self-calculated and must therefore be verified in order to be deemed valid.
- For more information, see ILB [No. 3976](#).

### 28. Regulation of the Minister of Industry [No. 28 of 2020](#) on Battery-Powered Electric Vehicles in Completely-Knocked-Down and Incompletely-Knocked-Down Forms

Enforcement Date: 17 September 2020

Summary:

- Battery-powered electric-vehicle (*kendaraan bermotor listrik* – “**KBL**”) companies may import the following: 1) Completely-knocked-down (CKD) battery-powered KBL and/or incompletely-knocked-down (IKD) battery-based KBL; and 2) Related components.
- Companies dealing in four-wheeled battery-powered KBL or more may import KBL in CKD and/or IKD forms, while companies dealing in two- or three-wheeled battery-powered KBL may only import KBL in CKD form.
- Battery-powered KBL companies aiming to import CKD battery-powered KBL, IKD battery-powered KBL and certain components which may be imported for use in IKD battery-powered KBL with four wheels or more are required to obtain approval letters from the relevant Director-General at the Ministry of Industry (“**Director-General**”).
- Battery-powered KBL companies that have obtained the approval letter outlined above are required to submit reports on their import and manufacturing realizations to the Director-General on a six-monthly basis after the issuance of any such approval letter.

29. Regulation of the Minister of Industry [No. 30 of 2020](#) on Technical Criteria for Designated Industrial Areas

Enforcement Date: 8 October 2020

Summary

- Designated industrial areas (*kawasan peruntukan industri* – “KPI”) will be determined based on the following criteria: 1) Must be areas that can be used for industrial activities; 2) Must not disturb or damage the environment; and/or 3) Must not make any changes to areas of productive land.
- The Minister of Industry is responsible for setting technical criteria for the determination of KPI. These criteria comprise the following: 1) Must take into account the condition of plots of land in relation to their carrying capacities, natural-disaster potential and topographies; 2) Must take into account the status and utilization patterns of lands from a land spatial-planning perspective; 3) Must fulfill various requirements relating to area size; 4) Must offer sufficient accessibility in order to facilitate the transportation of logistics end materials, as well as the movement of employees and the distribution of production results; 5) Must have sufficient raw-water supplies; and 6) Must provide water-waste disposal areas.
- In addition to the above, the government may also take into account the following additional criteria: 1) Availability of energy and electricity; 2) Telecommunications networks; 3) Residential density; and/or 4) Conformity with regional industrial development plans.

30. Decree of the Head of the National Standardization Agency [No. 407/KEP/BSN/9/2020](#) on the Determination of Indonesian National Standard 8914:2020 for Textile-Cloth-Based Face Masks

Enforcement Date: 16 September 2020

Summary

- The National Standardization Agency will determine Indonesian National Standard 8914:2020 for Textile-Cloth-Based Face Masks (“SNI 8914:2020”) in relation to the following types of cloth-based face masks (“Cloth Masks”): 1) Type A for general use; 2) Type B for bacterial filtration; and 3) Type C for particle filtration.
- The quality standards for the above-listed Cloth Masks encompass the following areas: 1) Air permeability rate; 2) Absorption rate; 3) Formaldehyde-free level; 4) Colorfastness when washed or soaked with sweat or saliva; 5) Azo carcinogenic pigment; 6) Metal content; 7) Surface wetting resistance; 8) PFOS and PFOA rate (for water-resistant Cloth Masks); and 9) Antibacterial activity rate (for antibacterial Cloth Masks); 10) Bacterial filtration efficiency; 11) Differential pressure; and 12) Particulate filtration efficiency.

## Monetary and Payment System

31. Regulation of Bank Indonesia [No. 22/12/PBI/2020](#) on the Second Amendment to Regulation of Bank Indonesia [No. 20/4/PBI/2018](#) on the Macroprudential Intermediation Ratio and Macroprudential Liquidity Support for Conventional Commercial Banks, Sharia Commercial Banks and Sharia Business Units

Enforcement Date: 1 October 2020

Summary:

- Rates for the fulfillment of Macroprudential Liquidity Support (*Penyangga Likuiditas Makroprudensial* – “PLM”) and the Sharia PLM obligation have now been increased as follows: 1) PLM has now been set at 6% of a Conventional Commercial Bank’s (*Bank Umum Konvensional* – “BUK”) Third-Party Funds (*Dana Pihak Ketiga* – “DPK”) in the rupiah currency; and 2) Sharia PLM has now been set at 4.5% of the Sharia Commercial Bank’s (*Bank Umum Syariah* – “BUS”) DPK in the rupiah currency. Previously, the rates for PLM and the Sharia PLM fulfillment obligation were both set at 4% of BUK’s and BUS’s DPK.
- Securities can now be utilized in relation to both repo transactions and sharia-based liquidity management transactions with Bank Indonesia during open-market transactions. The maximum utilizations of the aforementioned BUK and BUS securities have now been set at the following: 1) For BUK: 6% of the BUK’s DPK in rupiah; and 2) For BUS: 4.5% of the BUS’s DPK in rupiah

32. Regulation of Bank Indonesia [No. 22/13/PBI/2020](#) on the Second Amendment to Regulation of Bank Indonesia [No. 20/8/PBI/2018](#) on Loan-to-Value Ratios for Property Credit, Financing-to-Value Ratios for Property Financing and Down Payments for Credit and Financing for Motorized-Vehicle Ownership

Enforcement Date: 1 October 2020

Summary:

- Banks which offer motorized-vehicle credit (*kredit kendaraan bermotor* – “KKB”) or motorized-vehicle financing (*kredit kendaraan bermotor* – “PKB”) schemes for the purchase of eco-friendly motorized-vehicles are now required to implement 0% down-payment mechanisms for the purchase of: a) Two-wheeled motorized vehicles (previously, down payments of 10% were required); 2) Three-wheeled motorized vehicles for non-productive use (previously, down payments of 10% were required); 3) Three-or-more-wheeled motorized vehicles for productive use (previously, down payments of 5% were required).
- The 0% tariff above must be implemented by banks that provide KKB or PKB. Said banks should have gross non-performing credit/financing ratios of less than 5%, as well as net non-performing KKB/PKB ratios of less than 5%.

### 33. Regulation of Bank Indonesia [No. 22/14/PBI/2020](#) on Monetary Operations

Enforcement Date: 1 October 2020

Summary:

- Bank Indonesia (“BI”) provides two forms of sharia monetary operations, including open-market sharia operations (*operasi pasar terbuka syariah* – “**Sharia OPT**”) and sharia standing facilities. In order to implement Sharia OPT specifically, BI has now incorporated the activity of the provision of funds to Sharia OPT participants in order to manage liquidity with collateral in the form of securities that meet the sharia principle. This also applies to sharia standing facilities through the provision of credit facilities to sharia standing facilities participants that can also be encumbered with securities that meet the sharia principle.
- Sets additional sanctions that can be imposed upon any participants who fail to make sufficient funds available for the settlement of related transactions by the relevant maturity dates. This now includes the failure to settle any second-leg funding provision by Sharia OPT participants involving funding which is encumbered with securities collateral.
- For more information, see ILB [No. 3979](#).

### 34. Regulation of the Bank Indonesia Board of Governors [No. 22/21/PADG/2020](#) on the Amendment to Regulation of the Bank Indonesia Board of Governors [No. 21/25/PADG/2019](#) on the Loan-to-Value Ratios for Property Credit, Financing-to-Value Ratios for Property Financing and Down Payments for Credit and Financing for Motorized-Vehicle Ownership

Enforcement Date: 1 October 2020

Summary:

- Banks which offer motorized-vehicle credit (*kredit kendaraan bermotor* – “**KKB**”) or motorized-vehicle financing (*kredit kendaraan bermotor* – “**PKB**”) schemes for the purchase of eco-friendly motorized-vehicles are now required to implement 0% down-payment mechanisms for the purchase of: a) Two-wheeled motorized vehicles (previously, down payments of 10% were required); 2) Three-wheeled motorized vehicles for non-productive use (previously, down payments of 10% were required); 3) Three-or-more-wheeled motorized vehicles for productive use (previously, down payments of 5% were required).
- The 0% tariff above must be implemented by banks that provide KKB or PKB. Said banks should have gross non-performing credit/financing ratios of less than 5%, as well as net non-performing KKB/PKB ratios of less than 5%.

35. Regulation of the Bank Indonesia Board of Governors [No. 22/30/PADG/2020](#) on the Second Amendment to Regulation of the Bank Indonesia Board of Governors [No. 21/22/PADG/2019](#) on Macro-Prudential Intermediation Ratios and Macro-Prudential Liquidity Buffers for Conventional Commercial Banks, Sharia Commercial Banks and Sharia Business Units

Enforcement Date: 5 October 2020

Summary:

- This new amendment introduces the concept of liquidity management transactions based on Bank Indonesia sharia principles (“**PaSBI transactions**”), which have now been incorporated under the following provisions.
- Securities in rupiah owned by conventional commercial banks (*Bank Umum Konvensional* – “**BUK**”) and sharia securities in rupiah owned by sharia business units (*Unit Usaha Syariah* – “**UUS**”) may be used in repo transactions and PaSBI transactions with Bank Indonesia during open-market operations.
- Bank Indonesia takes into account securities used during repo transactions and PaSBI transactions under the following conditions: 1) Repo transactions and PaSBI transactions which are completed after the obligation to fulfill the Macroprudential Liquidity Buffers (*Penyangga Likuiditas Makroprudensial* – “**PLM**”) came into force; and 2) For BUK that own UUS, the number of securities that are to be taken into account includes securities that are used in repo transactions and PaSBI transactions by UUS during sharia open-market operations.
- Sharia securities held by sharia commercial banks (*Bank Umum Syariah* – “**BUS**”) can be used during repo transactions and PaSBI transactions with Bank Indonesia during sharia open-market operations. Furthermore, Bank Indonesia only takes into account sharia securities that are used during repo transactions and PaSBI transactions completed after the obligation to fulfill the sharia PLM came into force.

36. Regulation of the Bank Indonesia Board of Governors [No. 22/29/PADG/2020](#) on the Second Amendment to Regulation of the Bank Indonesia Board of Governors [No. 20/15/PADG/2018](#) on the Organization of Real-Time Fund Settlements through the Bank Indonesia Real Time Gross Settlement System

Enforcement Date: 5 October 2020

Summary:

- The completion of fund-settlement instructions through a queueing system is to be implemented based on the sequence of transaction priority numbers which differ based on different transaction types, as detailed under Appendix VIII to the Regulation.
- In terms of the completion of fund-settlement instructions which are entered through a queueing system, the organizers of the Bank Indonesia Real Time Gross Settlement System are required to stipulate the following provisions: 1) Fund-settlement instructions within the queueing group which address high priority and priority must be completed based on the sequence of transaction priority numbers for each group; 2) Fund-settlement instructions for transactions with the same priority

numbers must be completed for each group based on the first-in-first-out principle; and 3) Fund-settlement instructions through a queueing system will be canceled automatically whenever the activity period based on the relevant transaction code ends and/or in line with a cut-off warning issued via the BI-RTGS system.

- Both of the provisions outlined above come into force on 2 November 2020.

37. Regulation of the Bank Indonesia Board of Governors [No. 22/28/PADG/2020](#) on the Second Amendment to Regulation of the Bank Indonesia Board of Governors [No. 20/4/PADG/2018](#) on the Administration of Securities Through the Bank Indonesia Scripless Securities Settlement System

Enforcement Date: 5 October 2020

Summary:

- Organizers of the Bank Indonesia Scripless Securities Settlement System may cancel second-leg settlements for various reasons. Said reasons now include requests which are made by Bank Indonesia if transactions are being undertaken with Bank Indonesia.

38. Regulation of the Bank Indonesia Board of Governors [No. 22/27/PADG/2020](#) on the Second Amendment to Regulation of the Bank Indonesia Board of Governors [No. 20/2/PADG/2018](#) on Procedures for the Utilization of the Intraday Liquidity Facility

Enforcement Date: 5 October 2020

Summary:

- Any banks participating in the Bank Indonesia Real Time Gross Settlement System (“**Participants**”) which will utilize the Intraday Liquidity Facility (*Fasilitas Likuiditas Intrahari*– “**FLI**”) should deposit securities in the FLI account which fulfill the following requirements: 1) Securities must either be issued by Bank Indonesia and/or the government; 2) Securities must not comprise any collateral with Bank Indonesia or with any other parties; and 3) Securities can now be traded with Bank Indonesia through the relevant lending facility or financing facility (previously, trading was required to be conducted through repurchase agreements).
- The utilization of FLI within the BI-RTGS system is to be conducted through the use of securities owned by Participants, as provided through FLI accounts, as collateral. Previously, the utilization of FLI was conducted through the use of the repurchase (*repo*) mechanism.

### 39. Regulation of the Bank Indonesia Board of Governors [No. 22/26/PADG/2020](#) on Participation in Monetary Operations

Enforcement Date: 1 October 2020

Summary:

- Sets the two main parties that can participate in monetary operations after they have first obtained business licenses from Bank Indonesia (“BI”), specifically: 1) Banks that may operate as participants in open-market operations (*operasi pasar terbuka* – “OPT”), as well as participants in standing facilities; and 2) Intermediary institutions that act for and on behalf of OPT participants in order to submit offerings on OPT transactions (i.e. money-market brokers and/or securities companies).
- Banks that are engaging in any corporate actions that may affect their operational relations with BI (i.e. mergers, consolidations, acquisitions, status changes, name changes, license revocations and/or other strategic actions) must first secure a license from BI in order to complete such corporate actions.
- Any parties that are intending to engage in monetary operations and to secure licenses from BI must be assessed based on the following eligibility requirements: 1) Capacity aspect; 2) Capability aspect; and 3) Reputational aspect.
- The procedure that must be followed in order to secure a license is addressed under the framework of Regulation of BI [No. 22/8/PBI/2020](#) on Bank Indonesia Integrated Licensing Through Front-Office Licensing and breaks down as follows: 1) Submission of application; 2) Administrative examination; 3) Feasibility study (*analisis kelayakan*) and/or other required examination; and 4) Issuance of decision (approval or rejection).

### 40. Regulation of the Bank Indonesia Board of Governors [No. 22/25/PADG/2020](#) on Criteria and Requirements for Securities During Monetary Operations

Enforcement date: 1 October 2020

Summary

- Determines the criteria which must be met by any securities that are utilized during monetary operations, whether under conventional or sharia principles. Securities which are utilized during transactions involving conventional monetary operations (*operasi moneter konvensional* – “OMK”) can utilize the rupiah currency or a foreign-exchange currency and should meet the following criteria: 1) Must be issued by a lawful issuer (i.e. Bank Indonesia [“BI”], the central bank of a foreign country which is cooperating with BI); 2) Must be listed under a specific platform (i.e. BI-SSSS or the account of a participant in the agreed custodian bank); 3) Must not be under any encumbrance; and 4) Must possess a specific investment grade (for securities in foreign currencies).
- Sets out several types of securities that can be traded through OMK, specifically: 1) BI certificates (*sertifikat BI* – “SBI”); 2) BI deposit certificates (*sertifikat deposito BI* – “SDBI”); 3) BI sharia bonds (*sukuk BI* – “SukBI”); 4) State securities (*surat berharga negara* – “SBN”); and 5) Sovereign bonds.



- Meanwhile, securities which are utilized during transactions involving sharia monetary operations (*operasi moneter syariah* – “**OMS**”) must meet the following criteria: 1) Must be issued through the application of the sharia principle; 2) Must be issued by either BI and/or the state; 3) Must be issued in the rupiah currency; 4) Must be listed in the BI-SSSS; and 5) Must not be under any encumbrance.
- The types of securities which can be traded through OMS comprise the following: 1) Sharia SBI (*SBI syariah* – “**SBIS**”); 2) SukBI; and 3) Sharia SBN (*SBN syariah* – “**SBSN**”).
- BI is responsible for determining prices and haircuts for each type of security. Moreover, BI has specifically determined the following haircut percentages: 1) 0% haircut for SBI, SBIS, SDBI and SukBI; 2) 5% - 6.5% haircut for SBN; and 3) Haircuts may be further determined on the relevant transaction dates for sovereign bonds.

#### 41. Regulation of the Bank Indonesia Board of Governors [No. 22/24/PADG/2020](#) on Standing Facilities

Enforcement Date: 1 October 2020

##### Summary

- Generally speaking, standing facilities are instruments which can be used in order to inject or absorb rupiah currency liquidity in relation to the money market during one business day (overnight) and which can be provided through the following: 1) Lending facilities or financing facilities; and 2) Deposit facilities.
- Lending-facility transactions that are conducted through repurchase agreements (“**Repo**”) for securities by conventional banks with Bank Indonesia (“**BI**”) should apply the sell-and-buyback principle. In the event that any securities that are traded under this framework comprise state securities (*surat berharga negara* – “**SBN**”) which feature reward coupons, then the rewards will remain in the possession of the relevant standing-facility participants.
- Financing facilities can be implemented through two measures, specifically: 1) Repo for securities that include BI sharia certificates (*sertifikat BI syariah* – “**SBIS**”) under the collateralized borrowing principle, BI sharia bonds (*sukuk BI* – “**SukBI**”) and Sharia SBN (*SBN syariah* – “**SBSN**”) under the sell-and-buyback principle; and 2) The provision of liquidity facilities based on the sharia principle (*fasilitas likuiditas berdasarkan prinsip syariah / FLiSBI*) under the collateralized principle with encumbered securities that take the form of SBIS, SukBI or SBSN.

#### 42. Regulation of the Bank Indonesia Board of Governors [No. 22/23/PADG/2020](#) on the Implementation of Open-Market Operations

Enforcement Date: 1 October 2020

##### Summary

- Any transactions involving conventional or sharia open-market operations (*operasi pasar terbuka – “OPT”*), whether in rupiah or foreign-exchange currencies, generally follow similar steps, specifically: 1) Announcement; 2) Offering submission; 3) Determination of eligible parties; 4) Announcement of results; and 5) Settlement.
- However, in terms of certain transactions (i.e. term-deposit transactions) that utilize foreign-exchange currencies, participants in the OPT or any intermediary agencies that are intending to engage in such transactions must first register and/or update the relevant information prior to auctions.
- Under the not-normal condition, OPT transactions which are undertaken in the rupiah currency may waive the provisions set under this regulation and may instead refer to BI regulations that address the organization of BI-ETP system, the organization and administration of securities through the BI-SSSS system and/or the organization of instant fund settlements through the BI-RTGS system.

#### 43. Regulation of the Bank Indonesia Board of Governors [No. 22/22/PADG/2020](#) on Instruments of Open-Market Operations

Enforcement Date: 1 October 2020

##### Summary

- Open-market operations (*operasi pasar terbuka – “OPT”*) can be performed during the 08.00 to 16.00 time window or at other times, as determined by Bank Indonesia (“BI”). OPT will be implemented through the BI-ETP system, the automatic auction system for foreign-exchange monetary operations, dealing system facilities and/or other facilities, as determined by BI.
- Conventional OPT should be performed through the following instruments: 1) Issuance of SBI, SDBI and/or foreign exchange SBBI; 2) Repurchase (“**Repo**”) or reverse-Repo transaction; 3) Outright SBN sale or purchase; 4) Term deposit, whether in rupiah or foreign-exchange currency; 5) Spot, swap forward and/or DNDF; and/or 6) Other transactions.
- Meanwhile, sharia OPT should be performed through the following instruments: 1) Issuance of SBIS and/or SukBI; 2) Repo or reverse-Repo transaction; 3) PaSBI transaction; 4) Outright SBSN sale or purchase; 5) Term deposit, specifically in foreign-exchange currency; and/or 6) Other transactions which comply with sharia principles.

## Natural Resources

44. Regulation of the Minister of Maritime Affairs and Fisheries [No. 29/PERMEN-KP/2020](#) on the Revocation of Regulation of the Minister of Maritime Affairs and Fisheries [No. 13/PERMEN-KP/2015](#) on Guidelines for the Issuance of Recommendations for the Purchase of Certain Types of Fuel Oil by Capture-Fisheries Businesses

Enforcement Date: 23 September 2020

Summary:

- Revokes Regulation of the Minister of Maritime Affairs and Fisheries (“**Minister**”) [No. 13/PERMEN-KP/2015 of 2015](#) on Guidelines for the Issuance of Recommendations for the Purchase of Certain Types of Fuel Oil by Capture-Fisheries Businesses.
  - In general, the revoked regulation required fishermen who utilized Indonesian fisheries vessels with sizes of less than 30 gross tonnage and who were looking to purchase gas oil (with certain specifications determined by the Minister) to secure recommendation letters for said purchases, as issued by the Heads of the relevant fisheries ports or by the Heads of Regional Working Units (*Satuan Kerja Perangkat Daerah*) at the provincial or regency/city levels, if fisheries ports or organizers of fisheries ports had yet to become available in the relevant locations.
45. Regulation of Minister of Maritime and Fisheries [No. 33/PERMEN-KP/2020](#) on Technical Guidelines for the Content of Environment Impact Analyses for Reclamation Activities in Coastal Areas and on Small Islands

Enforcement Date: 23 September 2020

Summary:

- Businesses, whether individual or non-individual (“**Businesses**”), as well as governments at both the central and regional levels, that are intending to engage in any reclamation activities within coastal areas and on small islands are required to draw up environmental impact analyses (*analisis mengenai dampak lingkungan – “AMDAL”*). AMDAL documents must comprise the following at the least: 1) Form of framework; 2) Analysis of environment impact (*analisis dampak lingkungan – “AMDAL”*); and 3) Environmental management plans and environmental monitoring plans (*rencana pengelolaan dan pemantauan lingkungan hidup – “RKL-RPL”*).
- Any Businesses and governments that submitted a form of framework and relevant documentation prior to 23 September 2020 will continue to have their AMDALs processed in accordance with regulations that already apply within environmental sectors. Otherwise, if a form of framework and *relevant* documentation have yet to be submitted or were submitted after 23 September, then the AMDAL will be processed under the framework of this new regulation.

46. Regulation of the Minister of Maritime Affairs and Fisheries [No. 47/PERMEN-KP/2020](#) on the Implementation of Fisheries Supervision Tasks

Enforcement Date: 24 September 2020

Summary

- The supervision of fisheries is to be implemented by civil servants who are appointed as official fisheries supervisors. Said supervision encompasses various aspects and fisheries-related activities within the following areas: 1) Indonesian Fisheries Management Areas (*Wilayah Pengelolaan Perikanan Negara Republik Indonesia*); 2) Fisheries vessels; 3) Fisheries ports and/or other appointed ports; 4) Privately owned ports (*pelabuhan tangkahan*); 5) Centers for commercial fisheries activities; 6) Fish seeding areas; 7) Fish-cultivation areas; 8) Fish processing units; and/or 9) Conservation areas.
- Supervision results will then be compiled into reports. If said reports reveal indications of any lack of compliance and/or indications of damage to fisheries resources and their environments, then fisheries supervisors are entitled to take follow up actions in the following forms: 1) Recommendations for the imposition of administrative sanctions; 2) Imposition of other measures; and/or 3) Sending of reports to investigators operating within fisheries sectors.

47. Circular of Minister of Maritime Affairs and Fisheries [No. B-540/MEN-KP/X/2020](#) on Tuna Long-Line Vessels with the Size of > 10 (More Than Ten) Gross Tonnage up to 30 (Thirty) Gross Tonnage

Enforcement Date: 16 October 2020

Summary:

- Any tuna long-line vessels of a size of between 10 gross tonnage and 30 gross tonnage and which are carrying a maximum of 2,500 fishing rods may be operated within Fishing Line II in all Indonesian Fisheries Management Areas (*Wilayah Pengelolaan Perikanan Negara Republik Indonesia/WPPNRI*).
- The licenses for the operation of long-line vessels that comply with the abovementioned criteria are to be issued between 16 October 2020 to 31 December 2020 in accordance with the applicable laws and regulations (e.g. Regulation of the Minister of Maritime Affairs and Fisheries [No. 23/PERMEN-KP/2013](#) on the Registration and Marking of Fisheries Vessels, as amended through the issuance of Regulation of Minister of Maritime Affairs and Fisheries [No. 5/PERMEN-KP/2019](#))

48. Circular of the Minister of Maritime Affairs and Fisheries No. B-495/MEN-KP/IX/2020 on the Easing of Requirements for the Issuance of Processing Eligibility Certificates

Enforcement Date: 28 September 2020

Summary:

- Relaxes several requirements *that* have to be met by fisheries businesses in relation to the issuance of Processing Eligibility Certificates (*Sertifikat Kelayakan Pengolahan – “SKP”*), as addressed under Regulation of the Minister of Maritime Affairs and Fisheries No. 17/PERMEN-KP/2019 of 2019.
- Medium-scale and large-scale fish-processing industry businesses that possess Indonesian Standard Business Classification (*Klasifikasi Baku Lapangan Usaha Indonesia/KBLI*) 46206 (large trade in fisheries products) and 46324 (large trade in processed fisheries products) may use a valid Trade Business License (*Surat Izin Usaha Perdagangan – “SIUP”*) in order to obtain recommendations for processing eligibility from quality developers (*pembina mutu*) working at provincial agencies in charge of fisheries.
- Micro-scale and small-scale fish-processing industry businesses that have not secured Fisheries Product Processing Business Registration Certificates (*Tanda Daftar Usaha Pengolahan Hasil Perikanan/TDU-PHP*) may use a valid SIUP in order to obtain recommendations for processing eligibility from quality developers working at agencies in charge of fisheries at the district or city levels.
- The implementation of the abovementioned relaxation of requirements regarding the issuance of SKP commenced on 28 September 2020 and will remain in force until 31 January 2021.

## Non-Banking Financial Services

49. Circular of the Financial Services Authority [No. 19/SEOJK.05/2020](#) on Marketing Channels for Insurance Products

Enforcement Date: 2 October 2020

Summary:

- Insurance companies and sharia insurance companies (“**Companies**”) are only permitted to market their insurance products through one of the following insurance-product marketing channels (“**Marketing Channels**”): 1) Direct marketing; 2) Insurance agents; 3) Bancassurance; 4) Non-Bank Business Entities (*Badan Usaha Selain Bank* – “**BUSB**”); and/or 5) Marketers (for micro-insurance products).
- During the utilization of Marketing Channels, several requirements must be satisfied, including: 1) Companies will be held responsible for any consequences that arise in relation to any issued insurance policy, as well as for the actions of any parties who engage in insurance marketing; 2) Insurance marketing must be implemented through cooperation agreements; 3) All cooperation agreements must be documented; and so forth.
- Companies, insurance agencies, banks and BUSB are allowed to market their insurance products via electronic systems (e.g. websites, social media, applications, etc.).
- For more information, see ILB [No. 3982](#).

## Pharmacies, Health Industry, and Foods & Drug Standards

50. Regulation of the President [No. 99 of 2020](#) on the Procurement of Vaccines and the Implementation of Vaccinations to Mitigate the Corona Virus Disease 2019 (COVID-19) Pandemic

Enforcement Date: 6 October 2020

Summary:

- The procurement of COVID-19 vaccines is to be implemented through the following measures: 1) Assignment of state-owned enterprises; 2) Direct appointment of business entities that will supply vaccines; and/or 3) Cooperation with international institutions/agencies.
- The Ministry of Health will be in charge of the implementation of the vaccination program and is therefore responsible for determining the following matters: 1) Criteria and priorities for vaccine recipients; 2) Prioritization of certain areas that will receive vaccines; 3) Vaccination schedule and phases; and 4) Service standards for vaccinations.
- During the implementation of the vaccination program, the Ministry may enter into cooperation with other parties (e.g. state-owned or privately owned enterprises, professional/community organizations) in relation to the following areas: 1) Support for the provision of healthcare workers; 2) Vaccination sites; 3) Logistics/transportation; 4) Warehousing and storage of vaccines; 5) Security; and/or 6) Socialization and community mobilization.
- For more information, see ILB [No. 3984](#).

51. Regulation of the Minister of Health [No. 24 of 2020](#) on Clinical Radiology Services

Enforcement Date: 22 September 2020

Summary:

- Clinical radiology services are to be implemented based on written requests which are made by doctors, dentists, specialist doctors, specialist dentists and sub-specialist doctors for the following purposes: 1) Diagnostic purposes (i.e. examination and securing of expert opinion in order to establish a diagnosis); and 2) Therapeutic purposes (i.e. therapeutic guidelines and measures).
- Said services are to be organized by healthcare facilities (i.e. hospitals, health centers, public health centers and clinics) that are owned by the central government, regional governments or private entities, provided that said facilities are in possession of the following: 1) Certain types of equipment (i.e. both ionizing and non-ionizing radiation equipment); and 2) Adequate human resources (i.e. radiology specialists, radiographers, radiation protection officers, medical physicists, electromedics, nurses and/or administrative officers), the composition of which depends on the relevant level of service being offered (i.e. small [*pratama*], intermediate [*madya*]), main [*utama*] and complete [*paripurna*]).
- Healthcare facilities aiming to provide clinical radiology services must implement equipment suitability testing and must secure licenses for the use of radiation sources.

52. Circular of the Directorate-General Health and Health Services [No. HK.02.02/I/3713/2020](#) on the Upper Tariff Limit for Real-Time Polymerase Chain Reaction (RT-PCR) Examinations

Enforcement Date: 5 October 2020

Summary:

- The ceiling threshold tariff for Real-Time Polymerase Chain Reaction (RT-PCR) examinations, including swab tests, has now been set at IDR 900,000.
- Said threshold applies to persons who are undergoing RT-PCR examinations on a voluntary basis and does not apply to any contact tracing activities or referrals of COVID-19 cases to hospitals that are entitled to receive RT-PCR examination assistance from the government or which are part of the financing guarantee for COVID-19 patients.

53. Regulation of the National Agency for Drug and Food Control [No. 27 of 2020](#) on the Second Amendment to Regulation of the National Agency for Drug and Food Control [No. 24 of 2017](#) on Criteria and Procedures for Drug Registrations

Enforcement Date: 29 September 2020

Summary:

- Distribution permits are currently not required for drugs which are subject to emergency use during public-health emergencies, provided that such emergency use is implemented through the issuance of emergency use authorizations by the Head of the National Agency for Drug and Food Control (*Badan Pengawas Obat dan Makanan* – “BPOM”).
- Emergency use authorization only applies to the use of drugs during public-health emergencies.
- Pharmaceutical industries which have secured emergency use authorization are obliged to: 1) Take responsibility for the quality of drugs; 2) Conduct further studies or clinical trials of drugs that are currently undergoing clinical trial research around the world in order to ensure their effectiveness and safety; 3) Monitor pharmacovigilance and report any drug side effects to the Head of the BPOM; and 4) Report the realization of any imports, production and distribution of drugs which have been approved for emergency use to the Head of the BPOM.



54. Regulation of the National Agency for Drug and Food Control [No. 26 of 2020](#) on Requirements and Procedures for Applications for Supervision Result Analysis for Imports and Exports of Narcotics, Psychotropics and Pharmaceutical Precursors

Enforcement Date: 29 September 2020

Summary:

- Narcotics, psychotropics and pharmaceutical precursors may only be imported or exported for healthcare purposes and/or for the development of science and technologies and upon the securing of Import Approval Letters (*Surat Persetujuan Impor* – “SPI”) or Export Approval Letters (*Surat Persetujuan Ekspor* – “SPE”), as issued by the Minister of Health.
- Prior to filing any application to secure SPI and/or SPE, importers or exporters must secure a Supervision Result Analysis (*Analisa Hasil Pengawasan* – “AHP”) from the Head of the National Agency for Drug and Food Control (*Badan Pengawas Obat dan Makanan* – “BPOM”).
- Applicants for AHP for the export of the abovementioned products differ as follows: 1) For narcotics: pharmaceutical wholesalers; 2) For psychotropics: registered exporters or manufacturer-exporters of psychotropics; and 3) For pharmaceutical precursors: registered exporters or manufacturer-exporters of pharmaceutical precursors.
- AHP applicants are first required to secure user names and passwords from the AHP BPOM website by accessing <http://www.pom.go.id> or <http://enapza.pom.go.id>. Said applicants can then subsequently submit their applications and the relevant required documents via said websites and should also pay the required fees within seven days of submitting said documents.
- Applicants must report the realization of their imports and/or exports for each AHP to the Head of the BPOM and these reports should be submitted during the following timeframes: 1) Within three business days of receiving or exporting narcotics; or 2) Within seven business days of receiving or exporting psychotropics or pharmaceutical precursors.

55. Regulation of the National Agency of Drug and Food Control [No. 25 of 2020](#) on Good Production Practice Guidelines for Commercial Sterilized Food Which Is Sterilized after Packaging

Enforcement Date: 28 September 2020

Summary:

- Requires all producers of commercially available sterilized food which is sterilized after packaging (“**Sterilized Food**”) to follow the comprehensive good production guidelines which are set out under this regulatory framework and which encompass the following areas: 1) Hygiene requirements for production/harvesting areas; 2) Design and facilities; 3) Hygiene requirements for facilities; 4) Employee hygiene and health requirements; 5) Processing requirements; 6) Quality control; 7) Storage and transportation of final products; 8) Laboratory control procedures; and 9) Final product specifications.

56. Regulation of the National Agency for Drug and Food Control [No. 24 of 2020](#) on the Second Amendment to Regulation of the National Agency for Drug and Food Control [No. 1 of 2018](#) on the Supervision of Processed Foods for Special Nutritional Needs

Enforcement Date: 18 September 2020

Summary:

- Redefines types of Processed Foods for Special Diets (*Pangan Olahan untuk Diet Khusus – “PDK”*) which fall into the Processed Foods for Special Nutritional Purposes (*Pangan Olahan untuk Keperluan Gizi Khusus – “PKGK”*) category and which now comprise the following types of foods: 1) PDK for infants and children, which comprise: a) Infant formulas, b) Advanced formulas, c) Growth formulas, d) Complementary foods for breast milk, and e) Snacks for children (details on snacks for children are set out under the Appendix to this Second Amendment); and 2) PDK for adult groups, which comprise: a) Special drinks for pregnant women and/or nursing mothers, b) Sports foods, and c) Foods which are used for weight control.
- Redefines types of Processed Foods for Special Medical Purposes (*Pangan Olahan untuk Keperluan Medis Khusus – “PKMK”*), which now comprise the following: 1) PKMK for infants and children, which comprise: a) PKMK for patients with inherited metabolic conditions, b) PKMK for nutritional support for children at risk of malnutrition or of developing certain conditions, c) PKMK for premature babies, d) PKMK for human milk fortifiers, e) PKMK for patients allergic to cow’s milk protein, f) PKMK for ketogenic diets, g) PKMK for patients with malabsorption-related conditions, h) PKMK for patients with chronic liver disease, i) PKMK for patients with inflammatory bowel diseases, and j) PKMK for lactose-intolerant babies; and 2) PKMK for adults, which comprise: a) PKMK for persons with diabetes, b. PKMK for patients with chronic kidney disease, c) PKMK for patients with chronic liver disease, d) PKMK nutritional supports for malnourished adult patients, e) PKMK for patients with inherited metabolic conditions, and f) PKMK for ketogenic diets. Details relating to ketogenic diets, lactose intolerance and nutritional support for malnourished adult patients are set out under the Appendix to this Second Amendment.
- Newly listed PKGK under this new Amendment (“**New PKGK**”) are: 1) Snacks for children; 2) PKGK for ketogenic diets; 3) PKGK for lactose-intolerant babies; and 4) PKGK for nutritional support for malnourished adult patients. Any PKGK for which distribution permits were secured prior to 18 September 2020 must be adjusted to the provisions set out under this Second Amendment by 18 April 2023. Furthermore, New PKGK for which circulation permits have already been applied for in accordance with the old regulatory framework will also have to be adjusted to the provisions set out under this Second Amendment by 18 April 2023.
- PKGK which were already in circulation prior to 18 September 2020 under the relevant circulation provisions may have their distributions extended but are required to be adjusted to the provisions set out under this Second Amendment by 8 September 2021.

## Professions

57. Regulation of the Minister of Law and Human Rights [No. 25 of 2020](#) on Duties, Functions, Appointments, Dismissals, Organizational Structures, Working Procedures and Budgeting for the Honorary Council of Notaries

Enforcement Date: 18 September 2020

Summary:

- In general, the Honorary Council of Notaries comprises the Central Honorary Council of Notaries and Regional Honorary Councils of Notaries, which should, in turn, comprise the following elements: 1) Three notaries; 2) Two government officials; and 3) Two experts or academics. The Honorary Council of Notaries should have a membership of seven, which should comprise the following: 1) One chairman who acts concurrently as a member; 2) One deputy-chairman who acts concurrently as a member; and 3) Five members. The term of office of the Honorary Council of Notaries is set at three years with reappointment being possible.
- In order to be deemed eligible to be appointed as a member of the Honorary Council of Notaries, several requirements must be satisfied, including: 1) Must be an Indonesian citizen; 2) Must swear an oath to God Almighty; 3) Must have a law degree at the minimum; 4) Must be both physically and mentally healthy; 5) Must have never committed any dishonorable act; 6) Must have never been named a suspect in relation to any criminal act; 7) Must have never been sentenced based on a court decision which has permanent legal force in relation to the committing of any criminal act; and 8) Must have at least three years' experience within the field of law.
- The above requirements must be proven through supporting documents, which should include: 1) Photocopy of a valid identity card or other proof of identity that has been authenticated (*legalisasi*); 2) Photocopy of an authenticated law-degree certificate; 3) Certificate of physical and mental health, as issued by a doctor from a government hospital; 4) Curriculum vitae and recent color photograph sized 4 cm x 6 cm; 5) A stamped statement affirming that the relevant candidate: a) Is not currently working as an advocate or legal advisor, b) Has never been sentenced to a term of imprisonment of five years or more based on a court decision that has permanent legal force, and c) Has never been declared bankrupt.

58. Regulation of the Minister of Law and Human Rights [No. 24 of 2020](#) on Requirements and Procedures for Appointments, Dismissals, Organizational Structures, Working Procedures and Budgeting for the Supervisory Council of Notaries

Enforcement Date: 18 September 2020

Summary:

- The Minister of Law and Human Rights is responsible for forming a Supervisory Council of Notaries which will be responsible for the supervision of notaries. The Supervisory Council of Notaries ("**Supervisory Council**") comprises the following elements: 1) Regional Supervisory Council; 2)

Territorial Supervisory Council; and 3) Central Supervisory Council. Supervisory Councils should guide and supervise notaries on behalf of the Minister and should serve for three-year terms of office with reappointments being possible.

- In order to be appointed as a member of the Supervisory Council, the following requirements must be met: 1) Must be an Indonesian citizen; 2) Must swear an oath to God Almighty; 3) Must have a law degree at the minimum; 4) Must be both physically and mentally healthy; 5) Must have never committed any dishonorable act; 6) Must have never been sentenced to a term of imprisonment of five years or more based on a court decision which has permanent legal force; 7) Must have never been declared bankrupt; and 8) Must have at least three years' experience within the field of law.
- The above requirements should be accompanied by the following supporting documents: 1) Photocopy of a valid identity card or other proof of identity that has been authenticated (*legalisasi*); 2) Photocopy of an authenticated law degree certificate; 3) Certificate of physical and mental health, as issued by a doctor from a government hospital; 4) Curriculum vitae and recent color photograph sized 4 cm x 6 cm; 5) A stamped statement affirming that the relevant candidate: a) Is not currently working as an advocate or legal advisor, b) Has never been sentenced to a term of imprisonment of five years or more based on a court decision that has permanent legal force, and c) Has never been declared bankrupt.

## Tax and Non-Tax Charges

59. Regulation of the Minister of Finance [No. 153/PMK.010/2020](#) on the Granting of Gross-Income Reductions for Specific Research-And-Development Activities in Indonesia

Enforcement Date: 9 October 2020

Summary:

- Domestic corporate taxpayers (“**Taxpayers**”) who carry out research-and-development (“**R&D**”) activities in Indonesia may enjoy the following gross-income deductions: 1) Gross-income deductions amounting to 100% of total costs incurred during any R&D activities; and 2) Additional gross-income deductions of up to a maximum of 200% of any accumulated costs which are incurred during any R&D activities undertaken during certain periods.
- Additional gross-income deductions may only be granted in relation to R&D activities and costs that meet certain requirements.
- In order to secure additional deductions, Taxpayers should submit applications enclosing fiscal certificates and R&D activity proposals which will then be reviewed. Subsequently, in order to utilize any such deductions, Taxpayers must submit notifications that set out their proposal-review results, as well as supporting evidence regarding the registrations of their intellectual property rights and/or the commercialization stage
- Taxpayers that manage to secure additional deductions are required to submit annual reports which address the costs of their R&D activities during each fiscal year to the Director-General of Tax, as well as to the Ministry of Research and Technology. Said reports should be submitted by the time that the Taxpayer submits their annual tax returns for the fiscal year in question at the latest.
- For more information, see ILB [No. 3986](#).

60. Regulation of the Minister of Finance [No. 149/PMK.04/2020](#) on the Second Amendment to Regulation of the Minister of Finance [No. 34/PMK.04/2020](#) on the Granting of Customs and/or Excise Facilities and Taxation Facilities for Imports of Goods for the Purpose of Handling the Corona Virus Disease 2019 (Covid-19) Pandemic

Enforcement Date: 8 October 2020

Summary:

- The types of goods for which imports may enjoy customs and/or excise facilities, as well as taxation facilities (“**Facilities**”), have now been further reduced to 21 items, as listed under the appendix to this regulation. Initially, some 73 items were listed under Part (A) to the Appendix to Regulation of the Minister of Finance (“**Minister**”) [No. 34/PMK.04/2020](#). This number was subsequently reduced to 49 items under the Appendix to Regulation of the Minister [No. 83/PMK.04/2020](#).

- Provisions originally set out under both Regulation of the Minister [No. 34/PMK.04/2020](#) and Regulation of the Minister [No. 83/PMK.04/2020](#) are still applicable in relation to the processing of any applications to obtain Facilities which were submitted prior to the enforcement of this new **regulation** if: 1) Their import customs notifications have already received official notification numbers and dates of arrival in relation to the relevant transportation means or inward manifest; or 2) Customs notifications for the release of goods from bonded logistics centers, free zones, bonded areas, bonded warehouses, special economic zones and companies receiving export-oriented import facilities have already been assigned official registration dates by the customs-and-excite offices at which the relevant customs obligations are being fulfilled.

61. Regulation of the Minister of Finance [No. 148/PMK.04/2020](#) on the Amendment to Regulation of the Minister of Finance [No. 40/PMK.04/2016](#) on the Electronic Payment and/or Deposit of State Revenue under the Customs-and-Excise Framework

Enforcement Date: 8 November 2020

Summary:

- Redefines other state revenue in relation to imports, exports and/or excisable goods, which now comprises the following types of revenue: 1) Income tax (*pajak pertambahan nilai – “PPN”*) on imports; 2) Article-22 income tax (*pajak penghasilan – “PPH”*) on imports; 3) Luxury goods sales tax (*pajak penjualan barang mewah/PPnBM*) on imports; 4) PPN collection interest (*bunga penagihan PPN*); 5) Article-22 PPh on exports; 6) Cigarette tax; 7) Non-tax state revenue (penerimaan negara bukan pajak/PNBP); 8) Palm-oil funds; and 9) Other state revenue, as collected by the Directorate-General of Customs and Excise (“**Directorate-General**”). This amendment now excludes administrative excise fines from the other excise revenues category.
- State revenue is to be collected by: 1) The Directorate-General; and/or 2) Collectors (*wajib pungut*). Moreover, reports on the collection of state revenue are to be drawn up by the Directorate-General and submitted electronically via the state revenue module (*Modul Penerimaan Negara/MPN*).
- Bank transaction numbers or postal transaction numbers (*nomor transaksi bank/nomor transaksi pos*) will be issued for payments and/or deposits of state revenues. Said payments and/or deposits must be made by payers (*wajib bayar*) or depositors (*wajib setor*) through a bank or perception post.
- Payments and/or deposits of state revenue may also be made by payers or depositors through other perception agencies. Transaction numbers for other perception institutions (*nomor transaksi lembaga persepsi lainnya/NTL*) will be issued in relation to said payments and/or deposits. Furthermore, customs-and-excite officials will provide customs-and-excite services after state revenue transaction numbers (*nomor transaksi penerimaan negara/NTPN*) have been received electronically.
- Payments of state revenue made by payers through other perception agencies are considered proof of payment in relation to said obligations according to the payment dates stated on any proof of state revenue (*bukti penerimaan negara/BPN*).

62. Regulation of the Minister of Finance [No. 143 /PMK.03/2020](#) on the Granting of Tax Facilities for Goods and Services Required for the Mitigation of the Corona Virus Disease 2019 Pandemic and the Extension of Income-Tax Facilities Based on Regulation of the Government [No. 29 of 2020](#) on Income-Tax Facilities for the Mitigation of Corona Virus Disease 2019 (COVID-19)

Enforcement Date: 1 October 2020

Summary:

- Extends the tax period for the granting of value-added tax (*pajak pertambahan nilai* – “PPN”) facilities from April – September 2020 to April – December 2020.
- Broadens the recipients of PPN incentives through the addition of the following parties: 1) Imports or acquisitions of vaccines and/or raw drug materials undertaken by pharmaceutical industries which produce vaccines and/or drugs for the mitigation of Corona Virus Disease 2019 (COVID-19); and 2) Taxpayers who obtain vaccines and/or drugs in order to mitigate COVID-19 from the pharmaceutical industries outlined in point (1) above.
- The government will bear any outstanding PPN for: 1) Imports of materials to be used in the production of vaccines and/or drugs aimed at the mitigation of COVID-19 by the pharmaceutical industries outlined above; and 2) Transfers of materials for said production from taxable businesses (*pengusaha kena pajak/PKP*) to said pharmaceutical industries. However, these pharmaceutical industries are required to first obtain recommendation letters from Indonesia’s National Board for Disaster Management (*Badan Nasional Penanggulangan Bencana*).
- The pharmaceutical industries outlined above may also be exempt from the imposition of Article-22 Income Tax for imports and/or Article-22 Income Tax for the October 2020 - December 2020 tax period. Meanwhile, in terms of other parties, these facilities are now to be granted for the October 2020 - December 2020 tax period, an extension beyond the previous deadline of September 2020.

63. Regulation of Minister of Finance [No. 137/PMK.02/2020](#) on the Stipulation of a Zero Tariff for the Issuance of Certificates of Origin Applicable within the Ministry of Trade due to the Corona Virus Disease 2019 Pandemic

Enforcement Date: 10 October 2020

Summary:

- In an effort to mitigate the ongoing negative impacts of the COVID-19 pandemic upon the export sector, the Minister of Finance has now set a zero tariff for non-tax state revenue in relation to the issuance of certificates of origin. This zero tariff will be available to all exporters between 10 October 2020 and 31 December 2020.
- In order to enjoy the zero tariff, an exporter must first fill out and submit an application form which can be accessed via the e-SKA platform organized by the Ministry of Trade.

- The new zero-tariff certificates of origin form may only be used for export activities which are undertaken until 31 December 2020 and the procedure for the utilization of this form is as addressed under Regulation of Minister of Trade [No. 37 of 2018](#) on Procedures for the Payment of State Revenue for the Electronic Issuance of Certificates of Origin for Goods Originating from Indonesia.

64. Regulation of the Minister of Finance [No. 134/PMK/010/2020](#) on Government-Borne Import Duty for Imports of Goods and Materials Which Are Used to Produce Goods and/or Services by Certain Industrial Sectors Impacted by the Corona Virus Disease 2019 Pandemic

Enforcement Date: 22 September 2020

Summary:

- Government-Borne Import Duty (*Bea Masuk Ditanggung Pemerintah* – “**BM DTP**”) incentives may be granted in relation to imports of goods and services which satisfy one of the following requirements by certain industrial sectors: 1) Goods and materials are not produced domestically; 2) Goods and materials are produced domestically but do not meet the required specifications; or 3) Goods and materials are produced domestically but in amounts that are deemed insufficient to meet the relevant industrial requirements.
- In order to obtain BM DTP incentives, companies operating within certain industrial sectors must satisfy the following requirements: 1) Must provide details in customs import notifications of the quantities and/or types of any goods which obtained BM DTP during the previous year and that led to any reduced import-duty payments; and/or; 2) Must not have any overdue import-duty, excise and/or tax debt for imports.
- The overall application process for BM DTP incentives breaks down as follows: 1) Submission of an electronic application to the Minister of Finance through the Director of Customs (“**Director**”) via the Indonesian National Single Window portal; 2) Inspection of the fulfillment of requirements undertaken by the Director; and 3) If an application is approved, the Director, acting on behalf of the Minister, will then issue an official Decree on the provision of BM DTP in relation to the import or release of goods and materials to certain industrial sectors. Said sectors should then use the goods and materials in question in order to produce goods/services.
- For more information, see ILB [No. 3975](#).

65. Regulation of the Director-General of Customs and Excise [No. PER-08/BC/2020](#) on the Governance of Exports of Palm Oil, Crude Palm Oil and Derivative Products

Enforcement Date: 11 October 2020

Summary:



- Customs-and-excise officials are entitled to undertake physical examinations of palm oil, crude palm oil and related derivative products (“**Products**”) both before or after export notifications (*pemberitahuan ekspor barang* – “**PEB**”) are submitted.
- Submissions of applications for goods loading (for bulk exports only) and physical examinations of Products before the submission of PEB are mandatory for bulk exports but are optional for non-bulk exports. As a result, if an exporter of non-bulk items chooses not to undergo a physical examination, then they must submit the relevant PEB to the Head of the Customs Office enclosing the required documents.
- Exporters that have already been acknowledged as Authorized Economic Operators (AEO) and that are engaging in the export of Products can be exempted from mandatory physical examinations. However, in this case, all exports of Products must be accompanied by supporting customs documents in the form of examination results originating from the Directorate-General’s laboratory or from other laboratories that are registered with the Directorate-General.
- For more information, see ILB [No. 3991](#).

66. Circular of the Director-General of Tax [No. SE-48/PJ/2020](#) on Guidelines for the Selection of Tax Application Service Providers and the Addition of Taxation Application Services

Enforcement Date: 18 September 2020

Summary:

- Establishes procedures for the processes which are to be implemented prior to the selection of Tax Application Service Providers (*Penyedia Jasa Aplikasi Perpajakan* – “**PJAP**”), which is generally known as the pre-selection stage and which encompasses the following: 1) Determination of PJAP selection team; and 2) Determination of the number of required PJAP members and announcement on the opening of PJAP selection.
- Establishes procedures for the selection stage, which encompass the following: 1) Examination of the completeness of application documents; 2) Assessment of business plan; 3) Technical pre-qualification; 4) Review of application development plan; and 5) Technical examination.
- These procedures should also be implemented during the selection stage in relation to requests for the addition of taxation application services which are submitted by certain parties, provided that: 1) Any “pass” status which is designated during the business-plan assessment process is determined based on assessment results for each PJAP or other applicants so that the Director of Information and Communication Technology (*Teknologi Informasi dan Komunikasi* – “**TIK**”) is not required to provide any recapitulation of these results and rank them; 2) The technical prequalification process is only implemented when deemed necessary by the Director of TIK; 3) PJAP or other applicants must sign a confidentiality statement if they haven’t already signed one.
- The deadlines for the completion of certain processes have also now been changed in relation to the addition of taxation application services (e.g. the results of an application development must be

submitted within 10 business days of the submission of any application development guide, instead of 15 business days as was previously mandated).

67. Regulation of the Minister of Industry [No. 31 of 2020](#) on Implementing Guidelines for the Utilization of Government-Borne Import Duty Facilities for Imports of Goods and/or Services by Certain Industrial Sectors Affected by the Corona Virus Disease 2019 (Covid-19) Pandemic

Enforcement Date: 8 October 2020

Summary:

- The types of goods and materials eligible to enjoy Government-Borne Import Duty (*Bea Masuk Ditanggung Pemerintah – “BM-DTP”*) must fulfill the following requirements: 1) Goods and materials have yet to be produced domestically; 2) Goods and materials are produced domestically but have yet to fulfill the required specifications; or 3) Goods and materials are produced domestically but in amounts which are not sufficient for the relevant industrial requirements according to recommendations made by the relevant ministries or agencies.
- In order to be granted BM-DTP facilities, industrial companies should submit an application for a BM-DTP recommendation to the Director of Industrial Development enclosing a list of goods and materials for which BM-DTP and Industrial Verification Certificates (*Surat Keterangan Verifikasi Industri/SKVI*) are being requested.
- If the relevant industrial companies fail to fulfill any of the obligations set out under this regulation, then they may be subject to sanctions, which encompass written reprimands all the way up to the revocation of Decrees of the Minister of Finance on the granting of BM-DTP for imports or releases of goods and materials in order for certain industrial sectors to produce goods and/or services.
- For more information, see ILB [No. 3987](#).

68. Regulation of the Minister of Trade [No. 79 of 2020](#) on the Implementation Procedure for the Zero-Rupiah Tariff for Non-Tax State Income Deriving from Certificate-of-Origin Issuance Services for Goods of Indonesian Origin

Enforcement Date: 13 October 2020

Summary:

- Certificates of Origin (*Surat Keterangan Asal – “SKA”*) (both preferential and non-preferential versions) are to be printed over original SKA forms, the issuance of which will be subject to a zero-rupiah Non-Tax State Income (*Penerimaan Negara Bukan Pajak – “PNBP”*) tariff until 31 December 2020.
- Once an exporter has received its allocation of SKA forms, it then becomes responsible for the utilization of said forms and is also prohibited from handing over its SKA forms to any other parties.
- For more information, see ILB [No. 3985](#).

## Telecommunication, Media and Technology

69. Regulation of the Minister of Communication and Information Technology [No. 4 of 2020](#) on the Use of the Radiofrequency Spectrum Within the 2.3 GHz Radiofrequency Band

Enforcement Date: 24 September 2020

Summary:

- The 2.3 GHz radiofrequency band has a radiofrequency range of 2300 - 2400 MHz and utilizes a Time Division Duplexing (TDD) mode that has the following divisions: 1) Radiofrequency range of 2300 - 2360 MHz for the organization of cellular mobile networks within the national service area; 2) Radiofrequency range of 2360 - 2390 MHz for wireless broadband services offered by local fixed network operators on a packet-switched basis (which will only apply until 17 November 2029) and for the operation of cellular mobile networks, both with zone-based service areas; 3) Radiofrequency range of 2390 - 2400 MHz for Guardband or other purposes, as determined by the Minister of Communications and Informatics.
- Users of the 2.3 GHz radiofrequency band are obliged to: 1) Fulfill technical requirements that apply in relation to telecommunications equipment and/or devices; 2) Engage in technical coordination with other users of the 2.3 GHz radiofrequency band in order to mitigate any harmful interference, the results of which must be reported to the Director-General of Resources and Equipment of Post and Information Technology ("**Director-General**"); 3) Work together with the Director-General in order to coordinate with the telecommunications authorities of neighboring countries (if radiofrequency bands are being utilized close to national borders) or other countries which are part of users' service-coverage areas; and 4) Engage in the re-farming of radiofrequency bands if any radiofrequency band licenses are non-contiguous in relation to the relevant radiofrequency bands.
- Licenses for the use of the radiofrequency spectrum within the 2.3 GHz radiofrequency band and radiofrequency ranges of 2300 - 2360 MHz and 2360 - 2390 MHz are to be granted in the form of radiofrequency band licenses. All holders of said licenses are obliged to pay the applicable fees for the right to use a given radiofrequency spectrum, as set out under the licenses in question.

## Trade

### 70. Regulation of the Minister of Trade [No. 74 of 2020](#) on Export Provisions for Products of Forestry Industries

Enforcement Date: 25 October 2020

Summary:

- Certain products of forestry industries (“**Products**”), as listed under Appendices I and II to this regulation, may only be exported by the following parties: 1) Industrial companies that have secured Business Identification Numbers (*Nomor Induk Berusaha* – “**NIB**”) and industrial registry numbers or industrial business licenses; and 2) Trading companies that have secured NIB and trading business licenses.
- All exports of the Products outlined above must be accompanied by V-Legal documents issued by the Timber Legality Verification Agency (*Lembaga Verifikasi Legalitas Kayu/LVLK*). Moreover, any Products which are listed under Appendix II to this regulation must also comply with the various technical criteria that are set out under Appendix III to this regulation.
- Products may only be exported after they have first passed a verification or technical examination process, as implemented by surveyors appointed by the Minister of Trade.
- Industrial companies and/or trading companies that have secured V-Legal documents are required to submit reports on the export realization of forestry industrial products on an annual basis to the Director-General of Foreign Trade through the Director of Exports for Agricultural and Forestry Products via <http://inatrade.kemendag.go.id> by no later than the 31<sup>st</sup> January of the year following the relevant reporting period.
- The various export provisions addressed under this new regulation do not apply to exports of certain Products, including Products that are being personally carried by the passengers or crews of transportation vehicles; that are used for grants, rewards or gifts for social or cultural purposes; and/or that are used as non-traded promotional tools at exhibitions which are held overseas.

### 71. Regulation of the Minister of Trade [No. 78 of 2020](#) on the Amendment to Regulation of the Minister of Trade [No. 68 of 2020](#) on Import Provisions for Footwear, Electronic Products, Bicycles and Tricycles

Enforcement Date: 11 October 2020

Summary:

- Introduces exemptions to the requirement to secure mandatory import approvals for imports of footwear, electronic products, bicycles and tricycles for businesses who have secured Business Identification Numbers (*Nomor Induk Berusaha/NIB*) which also function as Import Identification Number for Producers (*Angka Pengenal Importir Produsen/API-P*).

- However, the above exemptions do not apply to imports of footwear, electronic products, bicycles and tricycles which were already loaded by forwarders as of 1 October 2020, as proven through bills of lading.

72. Regulation of the Minister of Finance [No. 141/PMK.04/2020](#) on the Supervision of Imports and Exports of Prohibited and/or Restricted Goods

Enforcement Date: 2 November 2020

Summary:

- In order to supervise imports and exports of prohibited and/or restricted goods, the Minister of Finance (“**Minister**”), through the Director-General of Customs and Excise (“**Director-General**”), is responsible for inspecting and checking the following: 1) Descriptions of the types of goods that are prohibited and/or restricted from being imported or exported; 2) Types and formatting of documents/electronic documents, if said documents are required; 3) The number of units of goods set out under a licensing document if a regulated quota has been set; and 4) The availability of administrative instruments that can be used by the Directorate-General of Customs and Excise in order to implement supervisions.
- If the results of any inspection reveal that descriptions of goods, types of goods, document formatting and the number of units of goods are clear and correct and if the relevant administrative instrument is available, then the Director-General on behalf of the Minister will issue a Decree of the Minister on the determination of goods which are prohibited/restricted from being imported or exported.

## Transportation and Logistic Service

73. Regulation of the Minister of Transportation [No. PM 64 of 2020](#) on the Revocation of Regulation of the Minister of Transportation [No. PM. 45 of 2015](#) on Requirements for Business Capital Ownership Within the Transportation Sector

Enforcement Date: 4 September 2020

Summary:

- Revokes Regulation of the Minister of Transportation [No. PM 45 of 2015](#) on Requirements for Business Capital Ownership Within the Transportation Sector, which required businesses to fulfill various capital-ownership requirements in order to obtain certain licenses, including businesses operating within the following areas: 1) Sailing; 2) Aviation; and 3) Rail transportation. As a result, businesses may now apply for various transportation-sector business licenses regardless of their capital-ownership levels.

74. Decree of the Minister of Transportation [No. KM 263 of 2020](#) on Emergency Response Procedures for Tier 3 Oil Spills at Sea

Enforcement Date: 28 September 2020

Summary:

- The emergency response procedure for tier 3 oil spills at sea encompasses the following activities: 1) Operational arrangements involving related agencies/institutions with a clear division of responsibilities and tasks; 2) Setting up of effective and operational emergency response procedures; 3) Setting up of effective reporting and communication systems; and 4) Arrangement and coordination of the submission of any operational compensation for emergency oil-spill responses.
- Details of these procedures are as elaborated upon under the appendices to this regulation

75. Regulation of the President [No. 91 of 2020](#) on the Ratification of the Agreement Between the Government of the Republic of Indonesia and the Government of the Federal Democratic Republic of Ethiopia Concerning Air Services

Enforcement Date: 17 September 2020

Summary:

- Ratifies the Agreement Between the Government of the Republic of Indonesia and the Government of the Federal Democratic Republic of Ethiopia Concerning Air Services (“Agreement”) which was signed on 21 December in Jakarta.
- Under the Agreement, the Indonesian Government has now granted the Ethiopian Government the right to operate scheduled international air services and to therefore designate airline(s) to offer such

services from any departure points within Ethiopia to Indonesia's Jakarta and Denpasar international airports.

- Meanwhile, the Government of Ethiopia has now granted the Indonesian Government the right to operate scheduled international air services and to therefore designate airline(s) to offer such services from any departure points within Indonesia to Addis Ababa and one other destination which has yet to be determined.

#### 76. Regulation of the President [No. 90 of 2020](#) on the Ratification of the Agreement Between the Government of the Republic of Indonesia and the Government of the Republic of India Concerning Air Services

Enforcement Date: 11 September 2020

Summary:

- Ratifies the Agreement Between the Government of the Republic of Indonesia and the Government of the Republic of India Concerning Air Services ("**Agreement**") which was signed on 25 January in New Delhi, India. This ratification also repeals and replaces Regulation of the President No. 18 of 1970 on the Ratification of the Agreement Between the Government of the Republic of Indonesia and the Government of the Kingdom of India Concerning Air Services Between and Beyond Their Respective Territories.
- Under the Agreement, the Indonesian Government has now granted the Indian Government the right to establish scheduled international air services and to therefore designate airline(s) that will operate such services along the following routes: 1) From any departure points in India to airports in Jakarta, Medan, Denpasar and Surabaya; or 2) From specific points in India (e.g. Patna, Goa, Cochin, Calicut, Ahmedabad) to airports in Jakarta, Medan, Denpasar and Surabaya.
- Meanwhile, the Indian Government has granted the Indonesian Government the right to establish scheduled international air services and to therefore designate airline(s) to operate such services along the following routes: 1) From any departure points in Indonesia to Mumbai, Delhi, Chennai, Kolkata; or 2) From any departure points in Indonesia to specific points in India other than the four destinations outlined above (e.g. Patna, Goa, Cochin, Calicut, Ahmedabad).
- Services operating along any of the second routes specified above, either from departure points in Indonesia or India, are to be operated without so-called fifth rights (i.e. the right to put down and to take on, within the territory of the first state [departure state] traffic coming from or destined to a third state).

77. Regulation of the President [No. 89 of 2020](#) on the Ratification of the Agreement Between the Government of the Republic of Indonesia and the Government of the State of Qatar Concerning Air Services

Enforcement Date: 11 September 2020

Summary:

- Ratifies the Agreement Between the Government of the Republic of Indonesia and the Government of the State of Qatar Concerning Air Services ("**Agreement**") which was signed on 18 October 2017 in Bogor.
- Under the Agreement, the Indonesian Government has now granted the Government of Qatar the right to operate scheduled international air services and to therefore designate airline(s) to offer such services from any departure points in Qatar to Jakarta, Denpasar, Batam, Manado, Medan and Surabaya.
- Meanwhile, the Government of Qatar has granted the Indonesian Government the right to operate scheduled international air services and to therefore designate airline(s) to offer such services from any departure points within Indonesia to Doha.

78. Regulation of the President [No. 88 of 2020](#) on the Ratification of the Agreement Between the Government of the Republic of Indonesia and the Government of Canada Concerning Air Services

Enforcement Date: 11 September 2020

Summary:

- Ratifies the Air Transport Agreement Between the Government of the Republic of Indonesia and the Government of Canada ("**Agreement**") which was signed on 17 January 1996 in Jakarta.
- Under the Agreement, the Indonesian Government granted the Canadian Government the right to operate scheduled international air services and to therefore designate airline(s) to offer such services from any departure points within Canada to international airports in Jakarta and Denpasar.
- Meanwhile, the Canadian Government has granted the Indonesian Government the right to operate scheduled international air services and to therefore designate airline(s) to offer such services from any departure points within Indonesia to Vancouver and Toronto.



## Miscellaneous

79. Regulation of the Minister of Law and Human Rights [No. 21 of 2020](#) on Submission Procedures for Citizenship Applications and Submissions of Minutes of Oath-Taking for the Granting of Citizenship of the Republic of Indonesia

Enforcement Date: 2 September 2020

Summary:

- The application procedure for Indonesian citizenship is to be implemented as follows: 1) Submission of Indonesian citizenship application by the applicant to the Minister of Law and Human Rights (“**Minister**”); 2) Administrative examination undertaken by authorized officials in order to ensure the completeness of all citizenship application documentation; 3) Within 14 business days of any successful administrative examination, the authorized officials must then conduct a substantive examination which should comprise the verification of the citizenship application documentation, as well as an interview; 4) An authorized official will then forward any applications which pass the substantive-examination stage to the Minister via both electronic and non-electronic means within seven business days of the application passing the substantive examination, along with various required citizenship-application documents (i.e. administrative documents of the applicant, cover letter issued by the local office of the Ministry of Law and Human Rights in the area in which the applicant resides (“**Local Office**”), as well as the minutes of inspection from the Local Office; 5) The Minister will then conduct a further substantive inspection for up to a maximum period of 45 business days from the date upon which an application is duly received; 6) The Minister will then forward the approved application to the President, who will then order a Decree of the President approving the application (“**Decree**”).
- Based on the Decree, the authorized official will then summon the applicant to an oath-taking ceremony. The minutes of the oath-taking ceremony must be submitted to the applicant within 14 business days at the latest after the date upon which the oath is sworn.

80. Regulation of the Supreme Court [No. 4 of 2020](#) on Electronic Administration and Trial of Criminal Cases in Courts

Enforcement Date: 29 September 2020

Summary:

- While a criminal-case trial is generally required to be held in a courtroom and attended by the prosecutors and defendants in person, trials may also be held electronically due to distance or other circumstances (i.e. natural disasters, pandemics, other emergencies stipulated by the government, or other circumstances which require electronic trials based on a stipulation from the relevant panel of judges).
- Attorneys are required to be in the same room as defendants during electronic trials. If this is impossible, then attorneys can attend trials from prosecutors’ offices or from courts.

- All required electronic documents submitted by prosecutors, defendants and their attorneys during trials must be provided in portable document format (PDF) and sent to the email address of the relevant court prior to said documents being read during an electronic trial.

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