

REGULATION OF THE PROVINCE OF WEST JAVA  
NUMBER 2 OF 2021  
ON  
IMPLEMENTATION OF PROTECTION OF INDONESIAN  
MIGRANT WORKERS FROM WEST JAVA PROVINCE

BY THE BLESSINGS OF ALMIGHTY GOD

GOVERNOR OF WEST JAVA,

- Considering :
- a. that Indonesian migrant workers and prospective Indonesian migrant workers from West Java must be protected from trafficking in persons, slavery and forced labor, victims of violence, arbitrariness, crimes against humanity, and other treatment that violates human rights;
  - b. that Regulation of the Province of West Java Number 9 of 2013 on Guidelines for Placement and Protection of Indonesian Workers from West Java is no longer in accordance with the development of legislation and Region's necessity; and;
  - c. that based on the considerations as referred to in point a and point b, it is necessary to issue Regional Regulation on Implementation of Protection of Indonesian Migrant Workers from West Java Province;
- Observing :
1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;

2. Law Number 11 of 1950 on Establishment of West Java Province (State Bulletin of the Republic of Indonesia on 4 July 1950) jo. Law Number 20 of 1950 on Government of Jakarta (State Gazette of the Republic of Indonesia of 1950 Number 31, Supplement to the State Gazette of the Republic of Indonesia Number 15) as amended several times, last by Law Number 29 of 2007 on Provincial Government of the Special Area of the Capital Jakarta as Capital City of the Unitary State of the Republic of Indonesia (State Gazette of the Republic of Indonesia of 2007 Number 93, Supplement to the State Gazette of the Republic of Indonesia Number 4744) and Law Number 23 of 2000 on Establishment of Banten Province (State Gazette of the Republic of Indonesia of 2000 Number 182, Supplement to the State Gazette of the Republic of Indonesia Number 4010);
3. Law Number 7 of 1981 on Mandatory Manpower Report (State Gazette of the Republic of Indonesia of 1981 Number 39, Supplement to the State Gazette of the Republic of Indonesia Number 3474);
4. Law Number 13 of 2003 on Manpower (State Gazette of the Republic of Indonesia of 2003 Number 39, Supplement to the State Gazette of the Republic of Indonesia Number 4279);
5. Law Number 21 of 2007 on the Eradication of Trafficking in Persons (State Gazette of the Republic of Indonesia of 2007 Number 58, Supplement to State Gazette of the Republic of Indonesia Number 4720);
6. Law Number 11 of 2009 on Social Welfare (State Gazette of the Republic of Indonesia of 2009 Number 12, Supplement to the State Gazette of the Republic of Indonesia Number 4967);
7. Law Number 6 of 2012 on Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (State Gazette of 2012 Number 115, Supplement to the State Gazette of the Republic of Indonesia Number 5314);

8. Law Number 12 of 2011 on Legislation Making (State Gazette of the Republic of Indonesia of 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234) as amended by Law Number 15 of 2019 on Amendment to Law Number 12 of 2011 on Legislation Making (State Gazette of the Republic of Indonesia of 2019 Number 183, Supplement to the State Gazette of the Republic of Indonesia Number 6398);
9. Law Number 23 of 2014 on Local Governments (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as amended several times, last by Law Number 9 of 2015 on the Second Amendment to Law Number 23 of 2014 on Local Governments (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);
10. Law Number 18 of 2017 on Protection of Indonesian Migrant Workers (State Gazette of the Republic of Indonesia of 2017 Number 242, Supplement to the State Gazette of the Republic of Indonesia Number 6141);
11. Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia of 2020 Number 245, Supplement to the State Gazette of the Republic of Indonesia Number 6573);
12. Government Regulation Number 10 of 2020 on Procedures for Placement of Indonesian Migrant Workers by Indonesian Migrant Workers Protection Board (State Gazette of the Republic of Indonesia of 2020 Number 37, Supplement to the State Gazette of the Republic of Indonesia Number 6463);
13. Presidential Regulation Number 87 of 2014 on Implementing Regulation of Law Number 12 of 2011 on Legislation Making (State Gazette of the Republic of Indonesia of 2014 Number 199);
14. Regulation of the Minister of Home Affairs Number 80 of 2015 on Establishment of Regional Legal Products (State

Bulletin of the Republic of Indonesia of 2015 Number 2036) as amended by Regulation of the Minister of Home Affairs Number 120 of 2018 on Amendment to Regulation of the Minister of Home Affairs Number 80 of 2015 on Establishment of Regional Legal Products (State Bulletin of the Republic of Indonesia of 2019 Number 157);

With the Joint Approval of  
THE PROVINCIAL HOUSE OF REPRESENTATIVES  
and  
THE GOVERNOR OF WEST JAVA

HAS DECIDED:

To issue : IMPLEMENTATION OF PROTECTION OF INDONESIAN  
MIGRANT WORKERS FROM WEST JAVA PROVINCE.

CHAPTER I  
GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Province means West Java Province.
2. Provincial Government means the Governor as an element of the administration of the Provincial Government that leads implementation of government affairs as the authority of autonomous regions.
3. Governor means Governor of West Java.
4. Regional House of Representatives (*Dewan Perwakilan Rakyat Daerah*) hereinafter abbreviated as DPRD means the Provincial House of Representatives of West Java.
5. Regency/Municipal Government means the Regency/Municipal Government in the Province.
6. Prospective Indonesian Migrant Workers (*Pekerja Migran Indonesia*), hereinafter referred to as Prospective PMI, means any Indonesian worker from West Java who fulfills the criteria as a job seeker who will work abroad and is

registered at Regency/Municipal Government institution responsible for manpower affairs.

7. Indonesian Migrant Worker (*Pekerja Migran Indonesia*), hereinafter abbreviated as PMI, means any Indonesian citizen who will work, currently works, or has done a work by for wage outside the territory of the Republic of Indonesia.
8. Family of Indonesian Migrant Worker (*Pekerja Migran Indonesia*), hereinafter referred to as PMI Families, means husband, wife, children, or parents of worker including the relationships due to court ruling and/or verdict, both the ones who live in Indonesia and the ones who live with Indonesian Migrant Worker abroad.
9. Migrant Commercial Vessel Crew means an Indonesian Migrant Worker who is employed or works on a foreign-flagged commercial vessel by the ship owner or operator to perform duties on board the ship in accordance with his or her position listed in the syllable book.
10. Migrant Fishing Vessel Crew means an Indonesian Migrant Worker who is employed or works on a foreign-flagged fishing vessel by the owner or operator of the vessel to perform duties on board the vessel in accordance with his or her position listed in the syllable book.
11. Protection means any effort to protect the interest of Prospective Indonesian Migrant Workers and/or Indonesian Migrant Workers and their families in order to ensure the fulfillment of their rights in all activities before, during, and after working in legal, economic, and social aspects.
12. Before Working Protection means the entire activities to give protection since Indonesian Migrant Workers and their family members of Indonesian Migrant Workers are about to leave abroad.
13. During Working Protection means the entire activities to give protection during the time work abroad.

14. After Working Protection means the entire activities to give protection since Indonesian Migrant Workers and their family members arrive at the debarkation in Indonesia until they return to their hometown, including the follow-through service to become productive workers.
15. Indonesian Migrant Workers Placement Agency (*Perusahaan Penempatan Pekerja Migran Indonesia*), hereinafter abbreviated as P3MI, means a business entity that is incorporated as a limited liability company that has obtained written permit from the minister administering government affairs in the field of manpower to operate placement services of Indonesian Migrant Workers and organize activities in West Java.
16. One-Stop Integrated Service for the Placement and Protection of Indonesian Migrant Workers (*Layanan Terpadu Satu Atap Penempatan dan Pelindungan Pekerja Migran Indonesia*), hereinafter referred to as LTSA PMI, means a service system for providing information, fulfilling requirements, and handling problems of Indonesian Migrant Workers that is integrated in public services that are cheap, easy, and fast without discrimination.
17. Indonesian Migrant Workers Protection Agency (*Badan Pelindungan Pekerja Migran Indonesia*), hereinafter referred to as BP2MI, means a non-ministerial government institution that serves as a policy implementer in the integrated service and protection of Indonesian Migrant Workers.

## Article 2

Scope of the regulation for the Implementation of Protection of Indonesian Migrant Workers from West Java Province in this Regional Regulation includes:

- a. implementation of PMI Protection;
- b. the responsibility of the Provincial Government;
- c. P3MI obligations;
- d. PMI Protection planning;
- e. Protection implementation;
- f. facilitation of PMI in certain respects;

- g. PMI licensing;
- h. synergy, cooperation and partnership;
- i. information system;
- j. nonstructural institutions;
- k. administrative sanctions;
- l. criminal provisions;
- m. investigation; and
- n. guidance and supervision; and
- o. financing.

## CHAPTER II RESPONSIBILITIES OF PROVINCIAL GOVERNMENTS

### Article 3

Provincial Governments have the following duties and responsibilities:

- a. organizing education and job training independently or in collaboration with accredited government-owned and/or private educational institutions and job training institutions;
- b. managing the repatriation of PMI in case of wars, natural disasters, disease outbreaks, deportations, and problematic migrant workers in accordance with their authority;
- c. issuing permits for P3MI branch offices;
- d. report the results of evaluations of P3MI on a tiered and periodic basis to the minister administering government affairs in the field of manpower;
- e. provide PMI Protection before, during and after working;
- f. providing protection for female PMI, especially in the informal sector;
- g. require P3MI to include PMI in the social security program in accordance with the provisions of legislation before departure;
- h. providing assistance posts and services at the place of departure and repatriation of migrant workers who meet health requirements and standards;

- i. providing and facilitating the training of Prospective PMI through vocational training of which budget comes from the educational function; and
- j. establishing LTSA PMI at the Provincial level.

CHAPTER III  
OBLIGATIONS OF INDONESIAN MIGRANT WORKERS  
PLACEMENT AGENCY

Article 4

- (1) The P3MI is obligated to:
  - a. have a P3MI license;
  - b. have a PMI Recruitment license;
  - c. have a Business License Number issued by the Online Single Submission Agency;
  - d. incorporated limited liability company;
  - e. opening branch offices in the Provincial Regions, in the event that P3MI is headquartered outside the Provincial Regions;
  - f. have office means and infrastructure;
  - g. guarantee PMI's participation in the social security program in accordance with the provisions of legislation before departure;
  - h. facilitating the resolution of PMI problems in the country of placement or foreign-flagged vessels;
  - i. reporting:
    - 1. PMI recruitment plan not later than 1 (one) month before recruitment to the Governor through the Regional Apparatus administering government affairs in the field of manpower;
    - 2. the implementation of recruitment activities no later than 1 (one) month after the completion of activities to the Governor through the Regional Apparatus administering government affairs in the field of manpower; and
    - 3. have a work plan for placement and Protection of PMI.



- (2) The P3MI that carries out the placement of Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews in addition to being obligated to fulfill the provisions as referred to in section (1) must meet the following requirements:
  - a. have data collection system for Migrant Commercial Vessel Crews or Migrant Fishing Vessel Crews; and
  - b. have experts in the field of marine or the field of manning fishing vessels.

#### CHAPTER IV

#### INDONESIAN MIGRANT WORKERS PROTECTION PLANNING

##### Article 5

- (1) The Governor prepares a plan for PMI Protection from the Province for a period of 5 (five) years.
- (2) The preparation of planning for PMI Protection as referred to in section (1), is guided by the Provincial Medium-Term Development Plan.
- (3) PMI Protection planning as referred to in section (1) and section (2) is integrated with Provincial development planning documents.

##### Article 6

The preparation of PMI Protection planning as referred to in Article 5 is carried out in the following stages:

- a. preparation of a technocratic, comprehensive and measurable PMI Protection planning draft;
- b. the Provincial Government prepares a draft work plan with reference to the Provincial Medium-Term Development Plan;
- c. public and stakeholder involvement and aligning the PMI Protection plan through the preparation of the final draft of the PMI Protection plan; and
- d. determination of the Governor's Decision on the PMI Protection plan.

Article 7

Implementation of the preparation of PMI Protection planning as referred to in Article 6 is carried out by the Regional Apparatus administering government affairs in the field of manpower.

Article 8

- (1) P3MI may form branch offices outside the domicile area of its head office.
- (2) Activities carried out by branch offices in the Province are the responsibility of the head office in the placement of PMI.
- (3) The branch offices as referred to in section (1) are required to be registered in the Provincial Government.
- (4) The procedures for the establishment of a P3MI branch office is regulated in accordance with the provisions of the legislation.

CHAPTER V

PROTECTION IMPLEMENTATION

Part One

General

Article 9

- (1) The PMI Protection from the Provincial Regions is carried out to:
  - a. PMIs working for incorporated employers;
  - b. PMIs working for individual or household employers;
  - c. Migrant Commercial Vessel Crews; and
  - d. Migrant Fishing Vessel Crews.
- (2) The Protection as referred to in section (1) is implemented by the Governor and consists of:
  - a. Before Working Protection;
  - b. During Working Protection;
  - c. After Working Protection; and
  - d. PMI Family Protection.

Part Two  
Before Working Protection

Article 10

- (1) The Before Working Protection as referred to in Article 9 section (2) point a is implemented through:
  - a. dissemination on PMI Protection to Prospective PMI; and
  - b. facilitating the improvement of the competence of Prospective PMI.
- (2) The implementation of dissemination to Prospective PMI as referred to in section (1) point a is carried out by involving the Village Government.
- (3) The form of facilitation for improving the competence of Prospective PMI as referred to in section (1) point b includes:
  - a. providing education and job training through job training institutions owned by the Central Government;
  - b. the implementation of education and job training through job training institutions owned by the Provincial Government; and
  - c. facilitation for education and training conducted by accredited privately owned job training institutions.
- (4) In the implementation of education and job training at job training institutions owned by the Provincial Government as referred to in section (3) point b, the language, socio-cultural, information and communication technology, financial management, skills in accordance with the type of work, national insight, and increasing PMI legal awareness are provided..
- (5) Implementation of Before Working Protection as referred to in section (1) and section (2) is carried out by the Regional Apparatus administering government affairs in the field of manpower.

Part Three  
During Working Protection

Article 11

- (1) The During Working Protection as referred to in Article 9 section (2) point b is implemented through the Provincial PMI information system.
- (2) The data collection system for Migrant Commercial Vessel Crews and Migrant Fishing Vessel Crews as referred to in Article 4 section (2) is connected to the Provincial PMI information system.
- (3) Regional Apparatus administering government affairs in the field of manpower manages PMI complaints or problems reported through the Provincial PMI information system as referred to in section (1) and section (2).
- (4) In the management of PMI complaints or problems as referred to in section (2) and section (3), the Regional Apparatus administering government affairs in the field of manpower coordinates with relevant agencies and P3MI and prepares problem resolution strategies.

Part Four  
After Working Protection

Article 12

- (1) The After Working Protection as referred to in Article 9 section (2) point c is carried out to retired PMIs who have arrived in the Provincial Area for a maximum of 3 (three) years.
- (2) The After Working Protection as referred to in section (1) is carried out through the empowerment of PMI.

Article 13

- (1) The PMI empowerment as referred to in Article 12 section (2) is carried out in the form of:
  - a. organizing entrepreneurship training; and
  - b. facilitation of business development.

- (2) Entrepreneurship training as referred to in section (1) point a is carried out by accredited government-owned and/or private job training institutions.
- (3) Form of facilitation of business development as referred to in section (1) point b includes:
  - a. facilitation of business institutions;
  - b. facilitation of access to capital;
  - c. business advocacy;
  - d. mentoring;
  - e. facilitation of product quality;
  - f. facilitation of partnerships; and
  - g. facilitation of product marketing both manually and virtually.
- (4) Facilitation of business institutions as referred to in section (3) point a is an effort so that PMI can form a legal entity as a business entity in accordance with the provisions of legislation.
- (5) Facilitation of access to capital as referred to in section (3) point b is an effort so that PMI can develop its own sources of capital, sources of borrowed or participation capital, and/or development of capital sources through public service agencies, financial institutions and banks.
- (6) The business advocacy as referred to in section (3) point c is the provision of support to PMI in licensing issues, market access, capital, and a business climate that is conducive to convenience in running a business.
- (7) Assistance as referred to in section (3) point d, is an improvement in the ability of PMI which is carried out in a transformative, participatory, systematic and continuous manner so that PMI is able to try to earn income after returning to the region.
- (8) Facilitation of product quality as referred to in section (3) point e is an effort to improve the quality of PMI products so that they can compete and dominate the market.
- (9) Partnership facilitation as referred to in section (3) point f is a business cooperation between PMI and small, medium and large business actors, accompanied by

guidance and development with the principles of mutual need, mutual strengthening, and mutual benefit.

- (10) Facilitation of product marketing as referred to in section (3) point g is a guidance to PMI to have the ability to conduct market analysis, packaging, quality assurance, brand, intellectual property rights and product competitiveness.

#### Article 14

- (1) The PMI empowerment as referred to in Article 12 section (2) is carried out by:
  - a. Regional Apparatus administering government affairs in the field of manpower;
  - b. Regional Apparatus administering government affairs in the field of small enterprises;
  - c. Regional Apparatus administering government affairs in the field of trade; and
  - d. related Regional Apparatus.
- (2) The implementation of PMI empowerment as referred to in section (1) is coordinated by the Regional Apparatus administering government affairs in the field of manpower.

#### Part Five

#### PMI Families Protection

#### Article 15

- (1) The PMI Families Protection as referred to in Article 9 section (2) point d includes;
  - a. psychological guidance;
  - b. spirituality; and
  - c. education.
- (2) The implementation of PMI Families Protection as referred to in section (1) is carried out by:
  - a. Regional Apparatus administering government affairs in the field of manpower;

- b. Regional Apparatus administering government affairs in the field of health;
  - c. Regional Apparatus administering government affairs in the social sector;
  - d. Regional Apparatus administering government affairs in the field of education;
  - e. Regional Apparatus administering government affairs in the field of women's empowerment and child protection;
  - f. work units administering religious fields; and
  - g. other related Regional Apparatus.
- (3) The Regional Apparatus administering government affairs in the field of manpower coordinates the implementation of PMI Families Protection as referred to in section (1).

#### Article 16

- (1) Psychological, spiritual, and educational guidance as referred to in Article 15 section (1) is carried out in the form of:
- a. counseling;
  - b. spiritual filling;
  - c. dissemination;
  - d. guidance; and
  - e. facilitation of childcare in the learning house.
- (2) The counseling as referred to in section (1) point a is given to the PMI Families in order to assist PMI in overcoming and solving the problems faced.
- (3) The spiritual filling as referred to in section (1) point b is intended for the mental and spiritual strengthening of the PMI Family in solving PMI problems.
- (4) The dissemination as referred to in section (1) point c is given to PMI families in order to provide psychological, spiritual, health, and educational guidance to PMI who have problems after the PMI return to the provincial area.
- (5) The guidance as referred to in section (1) point d is given to PMI families to be able to accompany PMI who have problems after PMI returns to the provincial area including in resolving legal problems.

- (6) The facilitation of childcare in the learning house as referred to in section (1) point e is given to the PMI Family so that PMI children can get the right to carry out basic education compulsory education in accordance with the provisions of legislation.

CHAPTER VI  
FACILITATION OF INDONESIAN MIGRANT WORKERS  
IN CERTAIN CASES

Part One  
General

Article 17

- (1) Governor facilitates PMI in certain cases including:
  - a. facilitating the management of PMI repatriation in case of wars, disasters and disease outbreaks;
  - b. facilitation of deported PMIs;
  - c. facilitation of legally problematic PMIs;
  - d. facilitation of missing PMIs in placement countries or foreign-flagged vessels; and
  - e. facilitation of social rehabilitation and social reintegration
- (2) Provision of facilitation to PMI in certain cases as referred to in section (1) is coordinated by the Regional Apparatus administering government affairs in the field of manpower.

Article 18

- (1) Repatriation of migrant workers in case of wars, disasters and disease outbreaks as referred to in Article 17 section (1) point a is carried out in the form of:
  - a. pick-up of PMI to the country of placement or foreign-flagged vessels; or
  - b. PMI pick-up to the airport or debarkation port.
- (2) PMIs who are picked up due to war in the country of placement or foreign-flagged ships, facilitation is provided:



- a. health care, in the event that PMI is a victim of war; and
  - b. counseling, to restore psychic conditions and trauma in migrant workers.
- (3) The PMIs who are picked up due to a disaster in the country of placement or foreign-flagged ships, facilitation is provided:
- a. health care, in the event that PMI becomes a victim of disasters, both natural and non-natural; and
  - b. counseling, to restore psychic conditions and trauma in PMIs.
- (4) The PMIs who are picked up due to disease outbreaks in placement countries or foreign-flagged ships, facilitation is provided:
- a. pick-up according to health protocols;
  - b. isolation or health quarantine in accordance with applicable regulations; and
  - c. in the event that the PMI must receive further treatment, it is facilitated until the PMI concerned is declared healthy.

#### Article 19

Facilitation of deported PMIs as referred to in Article 17 section (1) point b, pick-up is carried out to the area of origin of the PMI.

#### Article 20

Facilitation of legally problematic PMI as referred to in Article 17 section (1) point c is provided in the form of:

- a. consultation with the Indonesian Missions in the country of placement or country of a foreign-flagged vessel;
- b. ensure that PMI has obtained its rights;
- c. ensure that legal process is carried out in accordance with applicable provisions in the country of placement or the country of the foreign-flagged vessel; and
- d. facilitating the support that can be provided to PMI.

Article 21

Facilitation of missing PMI in the country of placement or foreign-flagged vessels as referred to in Article 17 section (1) point d is given in the form of:

- a. consultation and coordination with the Indonesian Missions in the country of placement or country of foreign-flagged vessels;
- b. coordination with relevant ministries and institution;
- c. communication with family;
- d. the use of mass media to publicize the disappearance of PMI;
- e. in collaboration with civic institutions; and
- f. facilitation of support that can be provided to PMI.

Article 22

- (1) Facilitation of social rehabilitation and social reintegration as referred to in Article 17 section (1) point e is carried out in the form of:
  - a. motivational guidance;
  - b. care and upbringing;
  - c. spiritual mental guidance;
  - d. social guidance and counseling;
  - e. psychosocial;
  - f. social assistance and aid; and
  - g. re-dissemination guidance.
- (2) The provision of motivation as referred to in section (1) point a is an effort to grow awareness and interest of PMIs with the support of PMI families to participate in social rehabilitation in the form of counseling.
- (3) Care as referred to in section (1) point b is an effort to maintain, protect, care for, and nurture so that PMI can carry out social functioning.
- (4) Spiritual mental guidance as referred to in section (1) point c is an activity of understanding basic religious knowledge, personality ethics, and discipline aimed at strengthening PMI's attitudes, character, and spiritual values.

- (5) Social guidance and counseling as referred to in section (1) point d, are all forms of psychological assistance services aimed at overcoming PMI's social problems in order to improve social functioning.
- (6) Psychosocial as referred to in section (1) point e, is an individual or group counseling service to develop cognitive, affective, conative and social aspects that aim to change PMI attitudes and behaviors in an adaptive direction.
- (7) Social assistance and aid as referred to in section (1) point f is the provision of assistance to migrant workers who experience social shocks and vulnerabilities in order to live reasonably.
- (8) Re-dissemination guidance as referred to in section (1) point g is an effort to return PMI to the PMI Family, before the implementation of social reintegration.

### Article 23

The implementation of facilitation to PMI as referred to in Article 18 to Article 22 is carried out by:

- a. Regional Apparatus administering government affairs in the field of manpower;
- b. Regional Apparatus administering government affairs in the health sector;
- c. Regional Apparatus administering government affairs in the social sector;
- d. Regional Apparatus administering government affairs in the field of education;
- e. Regional Apparatus administering government affairs in the field of women's empowerment and child protection;
- f. work units administering religious fields; and
- g. other related Regional Apparatus.

CHAPTER VII  
LICENSING

Article 24

- (1) The Governor issued a permit for the opening of the P3MI branch office and its extension.
- (2) The permit to open a P3MI branch office as referred to in section (1) is valid for a period of 5 (five) years and can be extended for a period of 5 (five) years.
- (3) To obtain a permit to open a P3MI branch office as referred to in section (1) the P3MI submits an application to the Provincial Government attached with:
  - a. P3MI License;
  - b. organizational structure of P3MI branch offices;
  - c. decree of the person in charge of P3MI regarding the appointment and placement of the head of the P3MI branch office and employees; and
  - d. ownership documents or lease agreements/ contracts/cooperation that prove mastery of office facilities and infrastructure in accordance with the provisions of legislation.

Article 25

- (1) The issuance of P3MI branch office permits as referred to in Article 24 section (1) is carried out by the Regional Apparatus that carries out integrated licensing.
- (2) Further provisions regarding the issuance of P3MI branch office permits are regulated by Governor Regulation.

CHAPTER VIII  
SYNERGY, COOPERATION AND PARTNERSHIP

Article 26

- (1) Provincial Governments develop synergy, cooperation and partnerships in the context of PMI Protection.
- (2) Synergy as referred to in section (1) is carried out with the Central Government including:

- a. ministries;
  - b. institution; and
  - c. Indonesian Missions in the country of placement or country of foreign-flagged vessels.
- (3) Cooperation as referred to in section (1) is carried out by:
- a. local/state governments equivalent to provinces in other countries in the corridor of sister province or other cooperation, in accordance with the provisions of legislation.
  - b. police;
  - c. other provincial local governments;
  - d. regency/municipal governments in other provinces;
  - e. Regency/Municipal Government;
  - f. Village Government;
  - g. airport and port authorities;
  - h. the business world; and
  - i. other associations/institutions.
- (4) The partnership as referred to in section (1) is carried out by:
- a. educational institution;
  - b. training institution;
  - c. research institution;
  - d. the business world;
  - e. civic institutions; and
  - f. other parties.

#### Article 27

Synergy as referred to in Article 26 section (2) is carried out starting from planning, implementing, and controlling.

#### Article 28

- (1) Cooperation as referred to in Article 26 section (3), includes:
- a. utilization of shelter facilities owned by the Local Government;
  - b. health, psychological and daily necessities while at home;

- c. facilitating repatriation to PMI's home area;
  - d. facilitating the departure and repatriation of migrant workers at airports and ports in the Province;
  - e. PMI data collection; and
  - f. other Facilitation.
- (2) Cooperation as referred to in section (1) is stated in the cooperation document in accordance with the provisions of the legislation.

#### Article 29

- (1) The partnership as referred to in Article 26 section (4) includes:
- a. utilization of shelter facilities owned by other parties;
  - b. health, psychological and daily necessities while at home;
  - c. facilitating repatriation to PMI's home area;
  - d. facilitation of PMI legal issues in the country of placement or country of foreign-flagged vessels;
  - e. training of PMI candidates;
  - f. empowerment of After Working PMI;
  - g. capital facilitation for After Working PMI; and
  - h. other facilitation.
- (2) Partnership as referred to in section (1) is stated in the cooperation document in accordance with the provisions of legislation.

### CHAPTER IX INFORMATION SYSTEM

#### Article 30

- (1) The Central Government distributes PMI information and requests to Regency/Municipal Governments through Provincial Governments.
- (2) In the event that the Central Government distributes information and provides information, the Governor builds a Provincial PMI information system
- (3) The information system as referred to in section (2), includes:

- a. job market;
  - b. data on the country of placement or country of foreign-flagged vessels;
  - c. data on PMI Candidates;
  - d. data on nationally accredited training institutions;
  - e. P3MI data;
  - f. departing PMI data;
  - g. data on foreign-flagged vessels employing PMI;
  - h. after-PMI data;
  - i. non-return PMI data;
  - j. PMI Family data;
  - k. information on the job market abroad;
  - l. ordinances for placement and protection;
  - m. working conditions abroad;
  - n. PMI complaints;
  - o. PMI legal case data and its handling; and
  - p. other information needed by PMI, Prospective PMI, and PMI Families.
- (2) The development of information systems as referred to in section (1) and section (2) is carried out by Regional Apparatuses administering government affairs in the field of manpower, in coordination with Regional Apparatuses administering government affairs in the field of communication and informatics.
  - (3) The provision of information as referred to in section (2) is carried out online or offline.
  - (4) The provision of information as referred to in section (2) is carried out by BP2MI in coordination with the Regency/Municipal Government and the Village Government.

## CHAPTER X

### NON-STRUCTURAL INSTITUTIONS

#### Article 31

- (1) In order to protect PMI from the provinces, the Governor established non-structural institutions.

- (2) Non-structural institutions as referred to in section (1) consist of:
  - a. task force; and
  - b. LTSA PMI institution.
- (3) The task force as referred to in section (2) point a has the task of carrying out PMI supervision.
- (4) The PMI LTSA institution as referred to in section (2) point b has the task of developing PMI potentials.
- (5) The establishment of non-structural institutions as referred to in section (2), section (3) and section (4) is regulated by a Governor Regulation.

## CHAPTER XI DISPUTE SETTLEMENT

### Article 32

- (1) In the event of a dispute between PMI and the placement executor regarding the implementation of the placement agreement, the settlement is carried out by deliberation.
- (2) In the event that the deliberations referred to in section (1) are not reached, either or both parties may request assistance in resolving the dispute to the Regional Apparatus administering government affairs in the field of manpower.
- (3) In the event that the dispute settlement as referred to in section (2) is not reached, one or both parties may file a claim and/or lawsuit through the court in accordance with the provisions of the legislation.

## CHAPTER XII ADMINISTRATIVE SANCTIONS

### Part One Apparatus

### Article 33

Officials who issue permits outside the provisions of Article 24 section (2) and labor inspectors who violate the norms of



supervision of PMI Protection are subject to administrative sanctions in accordance with the provisions of legislation in the field of discipline of Civil Servants.

## Part Two

### Indonesian Migrant Worker Placement Agency

#### Article 34

- (1) The P3MI that violates the provisions of Article 4 is subject to administrative sanctions in the form of:
  - a. verbal warning;
  - b. written warning;
  - c. suspension of permits for a certain period of time;
  - d. license revocation; and
  - e. administrative fine.
- (2) The imposition of administrative sanctions as referred to in section (1) is carried out by the Regional Apparatus administering government affairs in the field of manpower together with the Regional Apparatus in charge of licensing affairs, and the Civil Service Police Unit.
- (3) Further arrangements regarding the imposition of administrative sanctions as referred to in section (1) and section (2) are regulated by a Governor Regulation.

## CHAPTER XIII

### CRIMINAL PROVISIONS

#### Article 35

- (1) The P3MI that violates the provisions of Article 4 may be subject to imprisonment for a maximum of 6 (six) months or fine for a maximum of Rp50,000,000.00 (fifty million rupiah).
- (2) A criminal act as referred to in section (1), is an offence.
- (3) In the event that a criminal act committed by P3MI is a crime, the P3MI concerned is subject to criminal sanctions in accordance with the provisions of legislation.

CHAPTER XIV  
INVESTIGATION

Article 36

- (1) PPNS Provincial Governments are given the authority to carry out investigations into violations of the provisions in this Regional Regulation.
- (2) PPNS authority as referred to in section (1), covering:
  - a. receiving a report or complaint from a person about the existence of a criminal act;
  - b. carrying out the first action at the time at the scene and conducting an examination;
  - c. told a suspect to stop and check the suspect's self-identification;
  - d. confiscate objects and/or letters;
  - e. taking fingerprints and taking pictures of a person;
  - f. calling people to be heard and examined as suspects or witnesses;
  - g. bringing in the necessary experts in connection with the examination of the case;
  - h. terminate the investigation after receiving instructions from the Indonesian National Police Investigator that there is not enough evidence, or that the incident does not constitute a criminal offense and further notify the Public Prosecutor, the suspects or their family; and
  - i. commit other acts according to law that can be accounted for.

CHAPTER XV  
GUIDANCE AND SUPERVISION

Article 37

- (1) The Governor conducts guidance and supervision on the implementation of PMI Protection from the Provincial Regions.

- (2) The guidance and supervision as referred to in section (1) is technically carried out by the Regional Apparatus administering government affairs in the field of manpower.
- (3) Guidance and supervision as referred to in section (1) and section (2) are carried out for:
  - a. ensuring P3MI's compliance with the performance of its obligations; and
  - b. ensuring that PMI's rights are fulfilled.

#### Article 38

Supervision of the implementation of PMI from provincial areas is generally carried out by the Provincial Inspectorate.

### CHAPTER XVI FINANCING

#### Article 39

The financing of PMI Protection from Provincial Regions is sourced from:

- a. Provincial Budget; and
- b. other legitimate sources in accordance with the provisions of legislation.

### CHAPTER XVII CLOSING PROVISIONS

#### Article 40

At the time of this Regional Regulation comes into force, Regulation of the Province of West Java Number 9 of 2013 on Guidelines for Placement and Protection of Indonesian Workers from West Java (Regional Gazette of the Province of West Java of 2013 Number 9 Series E, Supplement to the Regional Gazette of the Province of West Java Number 144), is repealed and declared ineffective.

Article 41

The implementing regulations of this Regional Regulation must be stipulated not later than 1 (one) year as of the time the promulgation of this Regional Regulation.

Article 42

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

In order for everyone to know about it, order the promulgation of this Regional Regulation by placing it in the Regional Gazette of the Province West Java.

Issued in Bandung  
on 10 February 2021

GOVERNOR OF WEST JAVA,

signed

MOCHAMAD RIDWAN KAMIL

Issued in Bandung  
on 10 February 2021

REGIONAL SECRETARY OF WEST JAVA PROVINCE,

signed

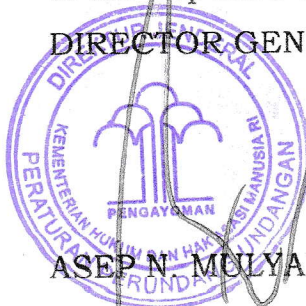
SETIAWAN WANGSAATMAJA

REGIONAL GAZETTE OF THE PROVINCE OF WEST JAVA OF 2021 NUMBER 2  
REGISTRATION NUMBER REGIONAL REGULATION OF WEST JAVA: (2-  
42/2021)

Jakarta, 10 April 2023

Has been translated as an Official Translation  
on behalf of Minister of Law and Human Rights  
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,



ASEP N. MULYANA