

ELUCIDATION
OF
REGULATION OF THE GOVERNMENT OF THE REPUBLIC OF INDONESIA
NUMBER 82 OF 2019
ON
AMENDMENT TO THE GOVERNMENT REGULATION NUMBER 44 OF 2015
ON THE ADMINISTRATION OF EMPLOYMENT INJURY SECURITY AND DEATH
SECURITY PROGRAMS

1. GENERAL

National Social Security System basically is the State program which aims to provide certainty of protection and social welfare for all Indonesian people. Through this program, each population is expected to be able to meet the basic needs of a decent life if something occurs that may result to loss or the lack of income, due to Employment Injury or death. Such program is stated in Government Regulation Number 44 of 2015 on the Administration of Employment Injury Security and Death Security Programs.

That in the frame of increasing of service and welfare of Members of social security on employment, it is necessary to conduct amendment to Government Regulation Number 44 of 2015 on the Administration of Employment Injury Security and Death Security Programs in the form of increasing and development of benefits of Employment Injury Security and Death Security programs for the Members of social security on employment, among others, benefit of homecare, scholarship for Member's children, and other benefits.

This Government Regulation contains of amendment to benefit of Employment Injury Security and Death Security programs.

II. ARTICLE BY ARTICLE

Article I

Point 1

Article 25

Section (1)

The term “occupational disease” means the disease that is caused by works and/or work environment.

Section (2)

Point a

The term “health service in accordance with medical requirements” means a health service rendered pursuant to medication and treatment resulted from Employment Injury or occupational disease as standardized by the Minister, until the Workers are declared to be healed, disabled or deceased based on the medical certificate from the treating doctor and/or advising doctor.

Point 1

Sufficiently clear.

Point 2

Sufficiently clear.

Point 3

The term “government hospital or local government hospital” means, among others, Public Hospital, Regional Public Hospital, Naval Hospital, Army Hospital, and Police Hospital.

Point 4

Sufficiently clear.

Point 5

Sufficiently clear.

Point 6

Sufficiently clear.

Point 7

Sufficiently clear.

Point 8

Sufficiently clear.

Point 9

Sufficiently clear.

Point 10

Sufficiently clear.

Point 11

Sufficiently clear.

Point 12

Sufficiently clear

Point 13

Sufficiently clear.

Point 14

Sufficiently clear.

Point b

Point 1

Sufficiently clear.

Point 2

Sufficiently clear.

Point 3

The term “partial anatomic Disability” means a condition of short or loss of body parts directly or indirectly causing the short or loss of Workers’ ability to perform his/her works.

The term “partial function disability” means a condition of short or loss of body part functions directly or indirectly causing the short or loss of Workers’ ability to perform their works.

The term “total permanent disability” means a disability which is resulting the inability of a person to perform work. a disability

causing the inability of Anyone to perform her/his works.

Point 4

Sufficiently clear.

Point 5

Sufficiently clear.

Point 6

Sufficiently clear.

Point 7

Sufficiently clear.

Point 8

Scholarship for children is given to the legitimate children of Member.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)

Sufficiently clear.

Point 2

Article 26

Right to claim JKK will be expire after passing 5 (five) years since the Employment Injury or after passing 5 (five) years since the occupational disease is diagnosed. This is cased if the claim is submitted after passing 5 (five) years, and it is feared that the site of Employment Injury or proof document of occupational disease has been changed, the required witnesses are gone, or supporting data are difficult to find.

Therefore, there is an obligation of Non-state administrator Employers to report any Employment Injury or occupational disease not later than 2 x 24

hours calculated since the Employment Injury or 2 x 24 hours calculated since the diagnose of occupational disease so that proof and supporting data are still complete in order to facilitate the completion of Employment Injury or occupational disease case.

Point 3

Article 34

Section (1)

The term “Members are deceased in the active working period” means that the Member are deceased within active working period and paying Contribution.

Section (2)

Sufficiently clear

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Point 4

Sufficiently clear.

Point 5

Sufficiently clear.

Article II

Sufficiently clear.