

New guidelines for Foreign Employees dealing with Work and Stay Visas during COVID-19 <sup>P1</sup>

## New guidelines for Foreign Employees dealing with Work and Stay Visas during COVID-19

Following the Ministry of Law and Human Rights No.11 Year 2020 and Circular Letter No.IMI-GR.01.01-2493 Year 2020, on 10 July 2020 the Directorate General of Immigration has issued a Circular Letter No.IMI-GR.01.01-1102 Year 2020 (CL-1102) concerning Stay Permit Rules and Services going forward.

CL-1102 comes into force on 13 July 2020 and updates the emergency measures previously enacted with regards to stay permits for foreign employees as follows:

1. Expired Stay Permit (*Izin Tinggal Terbatas (ITAS)/Izin Tinggal Tetap (ITAP)*) holders who are outside Indonesia and require permit extension

Stay Permit (ITAS/ITAP) holders who are currently outside Indonesia and have an expired Stay Permit but have obtained a work permit notification from the Ministry of Manpower or a recommendation letter from the Indonesia Investment Coordinating Board (or those seeking to re-enter under family reunification rules) must re-enter Indonesia to process their permit extensions within 60 days of CL-1102 coming into force (i.e. 60 days from 13 July). The same applies for family members with Stay Permits (ITAS/ITAP). Failure to enter Indonesia within the deadline requires the permit holder to apply for a new visa prior to entering Indonesia.

Such expired permit holders can enter Indonesia through several entry points, as follows:

- 1) Soekarno-Hatta International Airport, Jakarta
- 2) Ngurah Rai International Airport, Denpasar
- 3) Juanda International Airport, Surabaya
- 4) Kualanamu International Airport, Medan
- 5) Hang Nadim International Airport, Batam
- 6) Batam Centre International Port, Batam
- 7) Citra Tritunas International Port, Batam

On their arrival at one of the above Indonesian entry points, expired Stay Permit (ITAS/ITAP) holders must show a health certificate and a proof of

being free from COVID-19 as well as follow the health protocols as stipulated by the Indonesian government.

With this new update from Immigration, for valid permit holder who are outside Indonesia and require permit extension should anticipate to re-enter Indonesia to process their permit extension before expiration of the permit.

## 2. Expired Stay Permit (ITAS/ITAP) holders who are in Indonesia

Immigration is now open for the stay permit (ITAS/ITAP) extension process for foreigners who are currently in Indonesia (note there is a limited quota each day).

Holders of expired stay permits (ITAS/ITAP) who have been under an Emergency Stay Permit and have fulfilled all the requirements for an extension must process the extension within 30 days from the CL-1102 coming into force (i.e. 30 days from 13 July).

Holders of expired ITAS/ITAP who have been under an Emergency Stay Permit and cannot extend their permits must leave Indonesia within 30 days from the CL-1102 coming into force (i.e. 30 days from by 13 July).

## 3. Stay Permit (ITAS/ITAP) and Visit Permit (Visa on Arrival/VoA, Single Entry, Multiple Entry) holders who are in Indonesia and have a new Telex Visa/Notification

Stay Permit (ITAS/ITAP) and Visit Permit (VoA, Single Entry, Multiple Entry) holders who have obtained a new Telex Visa are allowed to apply for a Visit Permit or a Stay Permit to the local Immigration office without having to leave Indonesia and process visa at an Indonesia Embassy abroad.

## 4. Visit Visa (VoA, Single Entry, Multiple Entry) holders who are in Indonesia

Visit Visa (Voa, Single Entry, Multiple Entry) permit holders who have been under an Emergency Stay Permit are allowed to extend their permits at the local Immigration Office within 30 days of CL-1102 coming into force (i.e. 30 days from 13 July), in accordance with prevailing regulations provided that the COVID-19 pandemic is not declared over and in the absence of carrier/transportation to depart Indonesia.

## 5. Foreigners in Indonesia with Free Visas/Visa Exemptions

Foreigners who entered with Free Visas/Visa Exemptions and have been under Emergency Stay Permits must leave Indonesia within 30 days of CL-1102 coming into force (i.e. 30 days from 13 July).

Immigration administrative penalties will be imposed for failing to comply with the above requirements, which can be in the form of an overstay penalty.

If you would like to discuss a particular issue with regards to your foreign workers in Indonesia, please feel free to contact our Global Mobility Services team.

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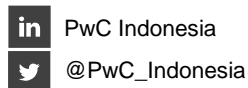
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