

GOVERNMENT REGULATION OF  
THE REPUBLIC OF INDONESIA  
NO.: 31/1994  
CONCERNING  
ALIEN CONTROL AND IMMIGRATION ACTIONS  
THE PRESIDENT OF THE REPUBLIC OF INDONESIA

Considering:

- a. That in the process of maintaining national stability, national security as well as public order, in upholding the sovereignty of the state, and in furthering national interests, an awareness arises and a concern is felt about the possible negative impact and influences resulting from the traffic of the people between nations, and from the presence and activities of foreign nationals in the Territory of the Republic of Indonesia (hereafter, Indonesia); it is therefore deemed necessary that well coordinated alien control and immigration actions be conducted and regulated quickly and thoroughly, though without neglecting an openness and readiness in the services of foreign nationals;
- b. That, due to the above mentioned factors and within the framework of the implementation of the provision delineated in Article 46 of Immigration Act No.: 9/1992, it is deemed necessary to establish a Government Regulation on Alien Control and Immigration Actions.

In View of:

1. Article 5 Paragraph (2) of the 1945 Constitution;
2. Expatriate Employment Act No.: 3/1957 (State gazette No.: 8/1957);
3. Immigration Act No.: 9/1992 (State Gazette No.: 33/1992 and Supplementary State Gazette No.:3474).

IT IS HEREBY DECIDED

TO ESTABLISH :

THE GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA

# ON ALIEN CONTROL AND IMMIGRATION ACTIONS.

## CHAPTER I

### GENERAL PROVISIONS

#### Article 1

In this Regulation, unless otherwise stated:

1. The Minister is the Minister of Justice, whose scope of duties and responsibilities covers the Immigration Sector.
2. A regional Office is a Department of Justice agency whose scope of duties and responsibilities covers the Immigration Sector at a Provincial Level.
3. An Immigration Officer is an employee in the Immigration Office, or another office, whose status or position give him/her authority, duties, and responsibilities in Immigration affairs.
4. An Immigration document is an Immigration permit issued by an authorized officer on Immigration affairs.

## CHAPTER II

### ALIEN CONTROL AND SUPERVISION

#### PART ONE

#### CONTROL AUTHORITIES

#### Article 2

The Minister has the authority and responsibility to:

- a. Administer the supervision and control of incoming and outgoing foreign nationals and of their presence and activities in Indonesia.
- b. Coordinate the implementation and performance of the duties of government Bodies and Agencies involved in Alien Control and Supervision.

#### Article 3

The implementation of the control, supervision, and coordination of foreign nationals as delineated in Article 2 will be carried out by the Director General of Immigration.

#### Article 4

The implementation of control, supervision, and coordination of foreign nationals as delineated in Article 3, at the Provincial level will be carried out by the Head of the Regional Office of the Province; and at a District/ Municipal level, by the Chief of the local Immigration Office.

## PART TWO

### DATA COLLECTION

#### Article 5

Data collection on foreign nationals will be carried out by collecting data and information about all foreign national who:

- a. Enter or depart from the Territory of Indonesia;
- b. Stay reside in Indonesia; and
- c. Conduct activities in Indonesia.

#### Article 6

Within the frame work of the data collection of data and information on coming and outgoing foreign nationals and their presence and activities in Indonesia, an Immigration supervision Officer shall conduct Immigration supervision and control.

#### Article 7

Within the framework of conducting Immigration supervision and control, an Immigration Officer has the authority to:

- a. Collect information from the public or from government agencies;
- b. Inspect or visit such places or buildings deemed to be of importance in obtaining information on the presence and activities of foreign nationals;
- c. Examine the Travel or Immigration Documents of foreign nationals.

#### Article 8

Any foreign national entering or leaving Indonesia shall provide information about his/her identity, particulars on arrival or departure, and any other information requested by the immigration Officer on duty at an Immigration Check-point.

#### Article 9

1. The person responsible for providing accommodations to a foreign national shall provide a guest book and alien questionnaire from which shall include the following data:
  - a. Name;
  - b. Sex;
  - c. Marital status;
  - d. Nationality;
  - e. Place and date of birth;
  - f. Profession;
  - g. Address;
  - h. Number and validity period of passport;
  - i. Type of visa;
  - j. Immigration Check-point and date of admission to Indonesia;
  - k. Visit/stay objective; and signature.
2. The person responsible for providing accommodations to a foreign national as delineated in paragraph (1) shall submit the alien questionnaire to the local police station of the Republic of Indonesia within 24 (twenty-four) hours, at latest, of the entry date into Indonesia of the foreign national concerned.
3. Upon request of an Immigration Officer, Police Officer, or other Security Officer, the person responsible for providing accommodations shall produce the guest book, the alien questionnaire, and other information concerning a foreign guest.
4. A copy of the alien questionnaire as delineated in Paragraph (2) shall be kept by the person responsible for providing accommodations for period of 1 (one) year.

#### Article 10

An individual providing accommodations to a foreign national at his place of the residence shall file a report to the local Police of the Republic of Indonesia or to the local government within 24(twenty-four) hours from the date of arrival.

#### Article 11

Upon request of an Immigration Officer on Duty, any foreign national present in Indonesia shall produce his/her Travel or Immigration Document and other Immigration papers.

### PART THREE

#### REGISTRATION

##### Article 12

1. Foreign nationals staying in Indonesia for a period exceeding 90 (ninety) days shall register in person at the nearest local Immigration Office.
2. Such registration shall be carried out within 14 (fourteen) days at the least latest from the 91st (ninety-first) day of his/her stay.
3. The registration of foreign nationals as delineated in Paragraph (2) may be carried out at the time said foreign national obtain a Visit Permit extension or at the time of issuance of a limited Stay Permit.
4. The compulsory registration as delineated in Paragraph (1) shall be carried out by parents or guardians for unmarried, minor children up to years of age.

##### Article 13

The registration as delineated in Article 12, Paragraph (1) is not compulsory of foreign nationals and their families residing in Indonesia on diplomatic or consular missions.

##### Article 14

Alien registration shall be carried out by filling out a questionnaire which includes:

- a. Name;
- b. Sex;
- c. Marital status;
- d. Nationality;
- e. Place and date of birth;
- f. Profession;
- g. Address;
- h. Number and validity period of passport;
- i. Immigration Check-point and date of admission in Indonesia;

- j. Length of validity of registration.

#### Article 15

1. The Director General of Immigration is responsible for the maintenance and safekeeping of alien records and files for the whole of Indonesia.
2. The alien records and files as delineated in Paragraph (1) may be distributed to Government Bodies or Agencies whose scope of duty covers alien control and supervision.

#### Article 16

Alien record maintenance and safekeeping as delineated in Article 15 will be performed by the Head of the Regional Office at a Provincial level, and the Chief of the local Immigration Office at a district/ municipal level.

#### Article 17

1. Foreign nationals who have completed registration, as delineated in Article 12, Paragraph (1), shall report any changes in family or marital status, nationality, address or profession to the local Immigration Office.
2. Reports of such of changes as delineated in paragraph (1) shall be made within 14 (fourteen) days from the date the actual change(s) took place.
3. If such changes as delineated in Paragraph (1) take place outside of Indonesia, the compulsory registration of such changes shall be completed within 14 (fourteen) days from his/her arrivals back in Indonesia.

#### Article 18

1. If there is no Immigration Office in the area of domicile of foreign national, the compulsory registration delineated in Article 17 should be made through the local government agency thereat.
2. The local government agency will forward a report of the registration as delineated in Paragraph (1) to the Chief of the immigration Office whose jurisdiction covers the area of domicile of the foreign national.

#### Article 19

1. Foreign nationals who have obtained a Limited Stay Permit shall report to the Republic of Indonesia State Police Station at the place of domicile within 30 (thirty) days from date of Issuance of said permit.
2. Foreign nationals who, as delineated in paragraph (1) ,upon change of address shall report to the Republic of Indonesia State Police Station at both the former an current place of domicile within 7 (seven) days from the date of moving.
3. Foreign nationals as delineated in Paragraph (1) will be issued a Certificate of Report after having registered at the Republic of Indonesia State Police Station.

#### PART FOUR

#### DATA AND INFORMATION PROCESSING

##### Article 20

1. Every Regional Office and Local Immigration Office Shall process data and information on incoming and outgoing foreign nationals, and on the presence and activities of foreign nationals in their respective jurisdictions.
2. The results of data and information processing delineated in Paragraph (1) will be report to the Director General of Immigration.
3. Further provisions on the procedure for data and information processing and reports as delineated in Paragraph (1) and (2) will be established by ministerial decision.

#### PART FIVE

#### COORDINATION OF CONTROL

##### Article 21

1. Within the framework of alien control and supervision, the Minister shall establish an Alien Control and Supervision.
2. The Alien Control and Supervision Coordinating Team, as delineated in paragraph (1), will be established at:
  - a. The National Level;
  - b. The Provincial Level;
  - c. The Local Area Level with Immigration Offices.

3. Members to Alien Control and Supervision Coordinating Team, as delineated in Paragraph (1), will consist of representatives of government bodies and agencies whose jurisdiction is related to Alien Control and Supervision.

#### Article 22

1. The National Alien Control and Supervision Coordinating Team will be headed by the Director General of Immigration or a designated Immigration Officer
2. The Provincial Level Alien Control and Supervision Coordinating Team will be headed by the Head of the Regional Office or a designated Immigration Officer
3. The Local Area Level Alien Control and Supervision Coordinating Team will be headed by the Chief of the local Immigration office in his jurisdiction.

#### Article 23

1. The Alien Control and Supervision Coordinating Team shall forward ideas and recommendations on Immigration matters to the Governmental Bodies or Agencies related to Alien Control and Supervision.
2. Such ideas and recommendation as delineated in Paragraph (1) will be forwarded to the Head of the Government Body or Agency according to the area of jurisdiction.
3. Further Provisions for the Formation, Mechanism, and Other matters pertaining to the Alien Control and Supervision Coordinating Team will be established by the Minister

### CHAPTER III

#### IMMIGRATION ACTIONS

##### PART ONE

#### ACTION PROCEDURE

#### Article 24

1. An Immigration action shall established by written decision issued by an authorized Immigration Officer.
2. Such decisions as delineated in Paragraph (1) shall be sent to the foreign national who has been issued a decision for an Immigration action within 7 (seven) day's, at the latest, from the date of issuance.



3. If a decision to prohibit a foreign national's admission to Indonesia is made, the decision shall be carried out by the Immigration Officer on duty at an Immigration Check-point by stamping the refusal of admission in the passport of the person concerned.

#### Article 25

1. A foreign national issued an Immigration action may file his/her objection to the Minister within 3 (three) days of receiving the decision for an Immigration action.
2. The objection delineated in Paragraph (1) shall not cause postponement or prevent the execution of the decision on Immigration action.

#### Article 26

1. The filling of an objection as delineated in Article 25 shall be processed by the concerned foreign national or his/her proxy.
2. The proxy delineated in Paragraph (1) may be:
  - A parent or guardian responsible for the foreign national concerned;
  - A businessman or sponsor who is responsible for the foreign national while he/she is in Indonesia; or
  - Another individual by proxy.

#### Article 27

1. The filling of an objection as delineated in Article 25 shall be made in writing to the Director General of Immigration shall include the proof an evidence to be used as the reason for the objection.
2. The Direction General of Immigration within 21 (twenty one) days, at the latest, of the receipt of the objection delineated in Paragraph (1) shall forward the objection along with his considerations to the Minister.

#### Article 28

The Minister shall issue his decision concerning the objection within 30 (thirty) days, at the latest, of receiving the objection from the general of Immigration.

#### Article 29

1. The Minister may reject or approve the objection.

2. The Ministerial Decision delineated in Paragraph (1) is final.

#### Article 30

Provision pertaining to the authorization of Immigration officer to carry out Immigration actions, and the filling and examination of objections will be further established by Ministerial Decision.

### PART TWO

#### IMMIGRATION QUARANTINE

#### Article 31

Foreign nationals may be placed in an Immigration Quarantine on grounds of:

- a. Being in Indonesia without a legitimate Immigration permit;
- b. Awaiting the deportation process or expulsion;
- c. Awaiting a Ministerial Decision on The Filing of an Objection made by the foreign national.

#### Article 32

1. An Immigration Quarantine may be establish at any Immigration Office and/or at other designated locations.
2. Provisions pertaining to the function, authority, and classification of Immigration Quarantines will be further established by ministerial Decision.

### CHAPTER IV

#### TRANSITIONAL PROVISIONS

#### Article 33

Upon promulgation of this Government Regulation, all directives pertaining to Alien Control and Regulation shall remain in effect as long as they have not been amended or replaced by new regulations based on this Government Regulation.

### CHAPTER V

#### CONCLUDING PROVISIONS

#### Article 34

Upon promulgation of this Government Regulation:

1. Government Regulation No.: 32/1954 on Alien Control (State Gazette no.: 52/1954) amended by Government Regulation No.: 54/1954 (State Gazette No.: 95/1954);
2. Government Regulation No.: 26/1970 on Alien Control Coordination for Visitors to Indonesia on the Seven-Day Visa Free Facility (State Gazette No.: 36/1970);

Article 35

This government Regulation shall take effect upon the date of promulgation.

In order that this Government Regulation may become public knowledge, it is hereby instructed that this Government Regulation be published in the State Gazette of the Republic of Indonesia.

Enacted in: Jakarta

Date: October 14, 1994

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

signed

SOEHARTO

Promulgated in: Jakarta

Date: October 14, 1994

STATE MINISTER/STATE SECRETARY

OF THE REPUBLIC OF INDONESIA

Signed

MOERDIONO

The Republic of Indonesia STATE GAZETTE NO.54/1994

This copy conforms

With the original

Of the Republic of Indonesia

CABINET SECRETARY

Head of Legal Affairs and Legislation