



Minister of Law and Human Rights Regulation No. 22 of 2023: further details of the Visas and Stay Permits Foreigners require to enter and stay in Indonesia

On 24 August 2023, the Minister of Law and Human Rights (“**MOLHR**”) issued Ministerial Regulation No. 22 of 2023 on Visas and Stay Permits (“**MOLHR 22/2023**”) as an implementing regulation of Government Regulation No. 31 of 2013, as lastly amended by Government Regulation No. 40 of 2023 on the Implementing Regulations of Law No. 6 of 2011 on Immigration (“**GR 40/2023**”).

MOLHR 22/2023 has replaced MOLHR regulation No. 29 of 2021 (“**MOLHR 29/2021**”) and provides further details of the visas and stay permits foreigners need to enter and stay in Indonesia under GR 40/2023. We highlight below some of the most notable provisions of MOLHR 22/2023.

I. Activities Allowed to be engaged in under the Visas

Type of Visa	Activities	
	Activities (as previously listed in MOLHR 29/2021)	Additional Activities (not listed in MOLHR 29/2021)
Single Entry Visit Visa	<ul style="list-style-type: none"> • tourism • family matters • continuing a trip to another country • business • Attending meetings • making purchases of goods • government duties • journalistic visits • social affairs • art and culture • non-commercial sports 	<ul style="list-style-type: none"> • undergoing treatment • after-sales service • installing and repairing machines • complying with a summons to attend judicial proceedings • apprenticeships

	<ul style="list-style-type: none"> • comparative studies, short courses, and short trainings • giving lectures or attending seminars • taking part in international exhibitions • pre-investment • joining a means of transportation located in Indonesia • shooting movies 	
Multiple Entry Visit Visa	<ul style="list-style-type: none"> • family matters • business • government duties • pre-investment 	<ul style="list-style-type: none"> • tourism • continuing a trip to another country • attending meetings • making purchases of goods • undergoing treatment • shooting movies • conducting audits, production quality control, or inspections at a company's branch in Indonesia
Visa on Arrival	-	<ul style="list-style-type: none"> • tourism • family matters • continuing a trip to another country • business • attending meetings • making purchases of goods • undergoing treatment • government duties
Visa-Free Entry	-	<ul style="list-style-type: none"> • the same activities as those for a Visa on Arrival. • as a ship's captain, pilot captain, or crew member serving in a conveyance as well as a foreign ship's captain, crew member, or expert on board a vessel or floating equipment that arrives directly with its conveyance to operate in the national waters, Indonesian seas, continental shelf, or an Indonesian Exclusive Economic Zone
Limited Stay Visa	<ul style="list-style-type: none"> • as an expert • as a worker • shooting movies • joining to work on a ship, floating equipment, or installation operating in 	<ul style="list-style-type: none"> • for foreign investment to stay for up to 2 years, 5 years or 10 years, subject to certain conditions, including among others, the percentage shareholding, the position of the foreigner, a

	<p>the national waters, Indonesian seas, or continental shelf, or an Indonesian Exclusive Economic Zone</p> <ul style="list-style-type: none"> • conducting a supervision of the quality of goods or production • conducting an audit or inspection at a company branch in Indonesia • as a member of the clergy • undergoing treatment • after-sales service • installing and repairing machines • non-permanent work for construction purposes • holding arts, music and sports performance events • holding professional sports activities • prospective foreign workers who will undergo skill trials. • for scientific research • for attending education • for a family reunification • for repatriation • as a second home 	<p>commitment to establishing a company</p> <ul style="list-style-type: none"> • for scientific research • for attending education • for a family reunification • for repatriation • as a second home • for the ease of doing work while on vacation
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II. Other Documents required for a Visit Visa

Under MOLHR 22/2023, the following other documents are required to apply for a visit visa depending on the activities introduced by GR 40/2023, among others:

Other Documents	Types of Visit Visa	
	Single Entry Visit Visa Activities	Multiple Entry Visit Visa Activities
A statement, invitation, or correspondence from a government or private entity which explains the relationship with the foreigner.	Business activities, attending meetings, making purchases of goods and pre-investment	

A statement from a government or private entity which provides the details of the activities of the foreigner in Indonesia.	Social activities	-
The invitation from the event organizer which provides the details of the agenda for the lecture/seminar.	Giving lectures or attending seminars	
A statement from a government or private entity which explains the urgency of the presence of the foreigner who cannot be represented/replaced/authorized by other parties to handle an incident caused by, among other things, a natural disaster, damage to main machinery, or that needs to be handled immediately to avoid losses for the company and/or the public.	Emergency or urgent work	-
The invitation letter from a government agency or private entity as the organizer of the event.	Guidance, counseling and training in the application and innovation of industrial technology to improve the quality and design of industrial products as well as foreign marketing cooperation for Indonesia.	-
	Auditing and production quality control activities, as well as foreign marketing cooperation for Indonesia.	

III. Other Documents required for a Limited Stay Visa

Under MOLHR 22/2023, the following other documents are required to apply for a Limited Stay Visa depending on the activities introduced by GR 40/2023, among others:

Other Documents	Limited Stay Visa Activities
A statement from a government institution in the trade sector or another government institution.	Experts or workers.
Proof of a shareholding worth at least IDR10,000,000,000.00 (ten billion Rupiah) or the equivalent stated in the data of the ministry or an institution in the investment sector; The Ministerial Decree approving the establishment of a limited liability company; and The company's financial statements for the last 2 (two) months.	Foreign investors intending to stay for up to 2 (two) years.
Proof of a shareholding in an overseas company worth a certain amount; and proof of the turnover/specific sales value of the overseas company, recorded in the parent company's financial audit report from an international public accounting firm.	Foreign investors intending to stay for up to 5 (five) or 10 (ten) years who intend to establish a limited liability company in Indonesia.
Proof of a certain turnover/sales value of an overseas company recorded in the parent company's financial audit report from an international public accounting firm.	Foreign investors intending to stay for up to 5 (five) or 10 (ten) years who will serve as members of the Board of Directors or Board of Commissioners of the company that will be established in Indonesia which is a branch or subsidiary of an overseas company.

IV. The Limited Stay Permit Validity Period

Previously, the validity period of Limited Stay Permits issued to foreigners who have entered Indonesia was stated in the limited stay visa without regard to the activities. However, MOLHR Reg 22/2023 now distinguishes between the validity periods of Limited Stay Permits depending on the activities they will engage in, among other things:

A Limited Stay Permit for a foreigner engage in activities as an expert or worker may have a validity period of up to:

- a. 180 (one hundred eighty) days;
- b. 1 (one) year; or
- c. 2 (two) years.

Meanwhile, a Limited Stay Permit for a foreigner to engage in activities as an investor may have a validity period of up to:

- a. 1 (one) year;
- b. 2 (two) years;
- c. 5 (five) years; or
- d. 10 (ten) years.

V. Golden Visas

Under MOLHR Reg 22/2023, a golden visa is a classification of a Limited Stay Visa, Limited Stay Permit, Permanent Stay Permit, and Re-entry Permit which is valid for 5 (five) years or 10 (ten) years, to engage in activities related to investment, family unification, repatriation and a second home.

Golden Visa holders are such given facilities as: (i) priority inspection lanes at immigration checkpoints designated by the MOLHR; (ii) priority service in Immigration offices; or (iii) priority services provided by related agencies, ministries/institutions, under a cooperation agreement.

In addition, in order to be eligible to stay in Indonesia for 5 (five) years, foreign individual investors who wish to establish a company in Indonesia are required to provide proof of an immigration guarantee in the form of a statement committing to invest in Indonesia at least USD2,500,000 (approximately IDR 38 billion), while for foreign individual investors who wish to stay for 10 (ten) years, the minimum investment required is USD5,000,000 (approximately IDR 76 billion).

The proof of an immigration guarantee required for the foreign Directors and Commissioners of a company to be established in Indonesia is a statement committing to invest at least USD25,000,000 (approximately IDR 380 billion) for staying for a period of 5 (five) years and USD50,000,000 (approximately IDR 760 billion) which will allow them to stay for up to 10 (ten) years.

VI. Visa Classifications

Under GR 40/2023, visas are now issued according to the visa classification determined by the MOLHR. However, MOLHR Reg 22/2023 still provides the same information as GR 40/2023 ie, that the classification will include the following information:

- a. the visa index;
- b. a description of the activities foreigners may engage in while in Indonesia;
- c. the activities that they are prohibited from engaging in and their rights and obligations while in Indonesia; and
- d. any other relevant details that clarify the purposes of their activities.

The visa classifications will be regulated further by the MOLHR. It remains to be seen how broad the MOLHR's visa classifications will be.

Please do not hesitate to contact us if you need a further explanation of the above.

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A Summitmas I, 16th & 17th Floors
Jl. Jend. Sudirman Kav. 61-62
Jakarta 12190

P +6221 5080 8300
+6221 252 1272

 makarim.com  Makarim & Taira S.



Bhawika Tanggwa Prabhuttama

Associate

bhawika.prabhuttama@makarim.com



Hendrik Alfian Pasaribu

Senior Associate

hendrik.pasaribu@makarim.com



Lia Alizia

Partner

lia.alizia@makarim.com