



**PRESIDEN
REPUBLIK INDONESIA**

REGULATION OF THE PRESIDENT OF THE REPUBLIC OF INDONESIA
NUMBER 90 OF 2019
ON
INDONESIAN MIGRANT WORKERS PROTECTION BOARD

BY THE BLESSINGS OF ALMIGHTY GOD

PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering : that in order to optimize the implementation of policies services in the context of placement and protection of Indonesian migrant workers and to implement the provision of Article 48 of Law Number 18 of 2017 on Protection of Indonesian Migrant Workers, it is necessary to issue a Presidential Regulation on Indonesian Migrant Workers Protection Board.

Observing :

1. Article 4 section (1) of the 1945 Constitution of the Republic of Indonesia;
2. 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);

HAS DECIDED:

To issue : **PRESIDENTIAL REGULATION ON INDONESIAN MIGRANT WORKERS PROTECTION BOARD.**

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Presidential Regulation:

1. Protection of Indonesian Migrant Workers means any effort to protect the interest of Prospective Indonesian Migrant Worker and/or Indonesian Migrant Worker 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.
2. Indonesian Migrant Workers Protection Board, hereinafter abbreviated as BP2MI is a non-ministerial government institution that serves as the policy implementer in service and Protection of Indonesian Migrant Workers in an integrated manner.
3. Indonesian Migrant Worker means any Indonesian citizen who will work, currently works, or has done a work for wage outside the territory of the Republic of Indonesia.

CHAPTER II
ESTABLISHMENT, STATUS, DUTY, AND FUNCTION

Article 2

Under this Presidential Regulation, BP2MI was established as a revitalization of the National Board for the Placement and Protection of Indonesian Overseas Workers.

Article 3

- (1) BP2MI is under and responsible to the President through the minister administering government affairs in the field of manpower.
- (2) BP2MI is led by a Head.

Article 4

BP2MI has a duty to implement the policy services in the context of placement and Protection of Indonesian Migrant Workers in an integrated manner.

Article 5

- (1) In order to implement the duty as referred to in Article 4, BP2MI performs functions to:
 - a. implement policies in the field of placement and Protection of Indonesian Migrant Workers;
 - b. implement services and Protection of Indonesian Migrants Workers;
 - c. issue and revoke License of Indonesian Migrant Workers Recruitment;
 - d. provide placement services;
 - e. supervise the implementation of social security services;
 - f. fulfill the Indonesian Migrant Workers rights;
 - g. verify Indonesian Migrant Worker documents;
 - h. implement the placement for Indonesian Migrant Workers based on written agreement between the government and the government of Employer country or Employer that is a Legal Entity Employer in destination country.
 - i. recommend revocation and extension of license of Indonesian Migrant Workers placement agency to the minister administering government affairs in the field of manpower for Indonesian Migrant Workers placement agency;
 - j. provide during working protection by coordinating with the Indonesian Mission in the destination country;
 - k. facilitate, rehabilitate, and reintegrate former Indonesian Migrant Workers;
 - l. implement social and economic empowerment for former Indonesian Migrant Workers and their families;
 - m. coordinate the implementation of duty, guidance, and provide administrative support to all organizational units within BP2MI;

- n. give substantive support to all elements of the organization within BP2MI; and
 - o. exercise internal supervision over the duty performed by BP2MI.
- (2) In addition to the functions as referred to in section (1), BP2MI makes and issues legislation on:
- a. standard employment contract, signing, and verification;
 - b. placement cost for Indonesian Migrant Workers; and
 - c. the process required before work.

CHAPTER III ORGANIZATION

Part One Organizational Structure

Article 6

BP2MI consists of:

- a. Head;
- b. Chief Secretariat;
- c. Deputy of Placement and Protection for Asia and Africa Regions;
- d. Deputy of Placement and Protection for America and Pacific Regions; and
- e. Deputy of Placement and Protection for Europe and the Middle East Regions.

Part Two

Head

Article 7

The head has a duty of leading BP2MI to implement its duty and functions.

Part Three
Chief Secretariat

Article 8

- (1) The Chief Secretariat is a supporting element for the leader under and responsible to the Head.
- (2) The Chief Secretariat is directed by the Chief Secretary.

Article 9

The Chief Secretariat has duty to carry out coordination in the implementation of duty, guidance, and providing administrative support to all organizational units within BP2MI.

Article 10

In order to implement the duty as referred to in Article 9, the Chief Secretariat organizes the following functions to:

- a. coordinate activities within BP2MI;
- b. coordinate and compile program plans and budget as well as evaluation and reporting;
- c. guide and provide administrative support which includes human resources, finance, administration, general affairs, cooperation, public relations, archives, and documentation;
- d. coordinate and formulate legislation as well as legal advocacy implementation;
- e. manage state-owned asset /state assets and goods and services procurement, administration, archives, correspondence, and general affairs;
- f. guidance and organizational structuring and governance; and
- g. implement other functions mandated by the Head.

Article 11

- (1) The Chief Secretariat consists of a maximum of 4 (four) Bureaus.
- (2) The Bureaus as referred in section (1) consist of the Groups of Functional Positions.

- (3) In the event that the duties and functions of the Bureaus as referred in section (2) cannot be implemented by Groups of Functional Positions, it may be formed maximum 4 (four) Divisions.
- (4) The Divisions as referred in section (3) consist of Groups of Functional Position and/or contain a maximum of 3 (three) Subdivisions.
- (5) Exempted from the provisions as referred to in section (4), the Division administering Senior Management administrative functions may consist of Groups Functional Positions and/or a number of Subdivisions based on the needs.

Part Four

Deputy of Placement and Protection for Asia and Africa Regions

Article 12

- (1) Deputy of Placement and Protection for Asia and Africa Region is an implementing element of BP2MI's duty under and responsible to the Head.
- (2) Deputy of Placement and Protection for Asia and Africa Regions is led by a Deputy.

Article 13

Deputy of Regional Placement and Protection for Asia and Africa Regions has duty to implement policies in the context of placement and Protection for Indonesian Migrant Workers in Asia and Africa regions.

Article 14

In order to implement the duty as referred in Article 13, Deputy of Placement and Protection for Asia and Africa Region carries out function to:

- a. implement policies in the service sector for protection, placement, fulfillment of rights, and verification of Indonesian Migrant Workers documents in Asia and Africa Regions;

- b. prepare issuance and revocation for licenses of Indonesian Migrant Workers recruitment in the Asia and Africa Regions;
- c. supervise the implementation for Indonesian Migrant Workers social security services in Asia and Africa regions;
- d. implement Indonesian Migrant Workers placement based on written agreement between the government and the government of Employer country or legal entity Employer in destination country in Asia and Africa regions;
- e. provide recommendation for revocation and extension of license of Indonesian Migrant Workers Placement Agency to the minister administering government affairs in the field of manpower for Indonesian Migrant Workers placement agency in Asia and Africa regions;
- f. implement during working protection by coordinating with Indonesian Missions in the destination countries in Asia and Africa regions;
- g. facilitate, rehabilitate, and reintegrate former Indonesian Migrant Workers in Asia and Africa regions;
- h. implement social and economic empowerment for former Indonesian Migrant Workers in Asia and Africa regions; and
- i. implement other functions mandated by the Head.

Article 15

- (1) Deputy of Placement and Protection for Asia and Africa Regions consists of a maximum of 4 (four) Directorates.
- (2) The Directorate as referred to in section (1) consists of Groups of Functional Positions.
- (3) In the event that duties and functions for the Directorate as referred to in section(2) cannot be performed by Groups of Functional Positions, it may be formed a maximum of 4 (four) Subdirectorates.
- (4) The Subdirectorates as referred to in section (3) consist of Groups of Functional Positions and / or a maximum of 2 (two) Sections.

Part Five

Deputy of Placement and Protection for America and Pacific
Regions

Article 16

- (1) Deputy of Placement and Protection for America and Pacific Regions is an implementing element of BP2MI's duty under and responsible to the Head.
- (2) Deputy of Placement and Protection for America and Pacific Regions is led by a Deputy.

Article 17

Deputy of Placement and Protection for America and Pacific Regions has duty to implement policies in the context of placement and Protection for Indonesian Migrant Workers in America and Pacific regions.

Article 18

In order to implement the duty as referred in Article 17, Deputy of Placement and Protection for America and Pacific Regions performs the following functions to:

- a. implement policies in the service sector for protection, placement, fulfillment of rights, and verification of Indonesian Migrant Worker documents in America and Pacific regions;
- b. formulate issuance and revoke licenses of Indonesian Migrant Workers recruitment in America and Pacific regions;
- c. supervise the implementation for social security services of Indonesian Migrant Workers in the American and Pacific regions;
- d. implement the placement of Indonesian Migrant Workers based on written agreement between the government and the government of Employer country and/or Legal Entity Employer in destination country in America and Pacific regions;

- e. provide recommendation for revocation and extension of license of Indonesian Migrant Workers placement agency to the minister administering government affairs in the field of manpower for Indonesian Migrant Workers placement agency in America and Pacific regions;
- f. implement during working protection by coordinating with Indonesian Missions in destination countries in America and Pacific regions;
- g. facilitate, rehabilitate and reintegrate former Indonesian migrant workers in America and Pacific regions;
- h. implement social and economic empowerment for former Indonesian Migrant Workers in America and Pacific regions; and
- i. implement other functions mandated by the Head.

Article 19

- (1) Deputy of Placement and Protection for America and Pacific Regions consists of 4 (four) Directorates at most.
- (2) The Directorates as referred to in section (1) consist of Groups of Functional Positions.
- (3) In the event that duties and functions for the Directorates as referred to in section (2) cannot be implemented by the Groups of Functional Positions, it may be formed maximum of 4 (four) Subdirectorates.
- (4) The Subdirectorates as referred to in section (3) consist of Groups of Functional Positions and/or a maximum of 2 (two) Sections.

Part Six

Deputy of Placement and Protection for Europe and Middle East Regions

Article 20

- (1) Deputy of Placement and Protection for Europe and Middle East Regions is an implementing element of BP2MI's duty under and responsible to the Head.
- (2) Deputy of Placement and Protection for Europe and Middle East Regions is led by a Deputy.

Article 21

Deputy of Regional Placement and Protection for Europe and Middle East Regions has duty to implement policies in the context of placement and Protection for Indonesian Migrant Workers in Europe and Middle East Regions.

Article 22

In order to implement the duty as referred to in Article 21, Deputy of Placement and Protection for Europe and Middle East Regions has functions to:

- a. implement policies in the service sector for protection, placement, fulfillment of rights, and verification of Indonesian Migrant Workers documents in Europe and Middle East regions;
- b. prepare issuance and revocation of licenses of Indonesian Migrant Workers recruitment in Europe and Middle East regions;
- c. supervise the implementation of social security services of Indonesian Migrant Workers in Europe and Middle East regions;
- d. implement the placement of Indonesian Migrant Workers based on written agreement between the government and the government of Employer country and/or legal entity Employer in destination country in Europe and Middle East regions;
- e. provide recommendation for revocation and extension of license of Indonesian Migrant Workers placement agency to the minister administering government affairs in the field of manpower for Indonesian Migrant Workers placement agency in Europe and Middle East regions;
- f. implement during working protection by coordinating with Indonesian Missions in destination countries in Europe and Middle East regions.
- g. facilitate, rehabilitate, and reintegrate former Indonesian Migrant Workers in Europe and Middle East regions;
- h. implement social and economic empowerment for former Indonesian Migrant Workers in Europe and Middle East regions; and
- i. implement other functions mandated by the Head.

Article 23

- (1) Deputy of Placement and Protection for Europe and Middle East Regions consists of 4 (four) Directorates at most.
- (2) The Directorates as referred to in section (1) consist of Groups of Functional Positions.
- (3) In the event that the duties and functions of the Directorates as referred to in section (2) cannot be performed by the Groups of Functional Positions, it may be formed a maximum of 4 (four) Subdirectorates.
- (4) The Subdirectorates as referred to in section (3) consist of Groups of Functional Positions and/or a maximum of 2 (two) Sections.

Part Seven

Supervisor Elements

Article 24

- (1) An Inspectorate is an element of internal supervision within the BP2MI under and responsible to the Head and is administratively coordinated by the Chief Secretary.
- (2) The Inspectorate is led by an Inspector.

Article 25

The Inspectorate has duty to exercise Internal supervision within BP2MI.

Article 26

In implementing the duty as referred to in Article 25, the Inspectorate performs functions to:

- a. formulate internal supervision on technical policies;
- b. implement internal supervision on performance and finance through audit, evaluation, monitoring, and other supervisory activities;
- c. exercise supervision for specific purposes on the assignment of the Head;
- d. prepare reports on the results of supervision; and
- e. implement the Inspectorate administration.

Article 27

The Inspectorate consists of subdivisions that handle administrative functions and groups of functional positions.

Part Eight Supporting Element

Article 28

- (1) A Center may be formed within the BP2MI as a supporting element of the duties and functions of BP2MI.
- (2) The Center as referred to in section (1) is under and responsible to the Head through the Chief Secretary.
- (3) The Center is led by a Head of Center.

Article 29

- (1) Determination of the number of Centers as referred to in Article 28 section (1) is based on organizational analysis and workload analysis.
- (2) The Centers consist of Groups of Functional Positions.
- (3) In the event that the duties and functions of the Centers as referred to in section (2) cannot be performed by Groups of Functional Positions, it may be formed a maximum of 3 (three) Technical Divisions and 1 (one) Subdivision handling the administration functions.
- (4) In the event that the duties and functions of the Centers which are located separately from the head office cannot be performed by Groups of Functional Positions, it may be formed a maximum of 3 (three) Technical Divisions and 1 (one) Division handling the administrative functions.
- (5) The Technical Divisions as referred to in section (3) and section (4) consist of Groups of Functional Positions and/or a maximum of 2 (two) Sub-Technical Divisions.
- (6) The Division handling administrative functions as referred to in section (4) may consist of a maximum of 2 (two) Subdivisions.

Part Nine
Technical Implementing Unit.

Article 30

- (1) In order to implement operational technical duty and/or supporting technical duty within the BP2MI, a Technical Implementing Unit may be formed.
- (2) The Technical Implementing Unit is led by a Head of Technical Implementing Unit.

Article 31

The formation of the Technical Implementing Unit as referred to in Article 30 is determined by the Head after obtaining written approval from the minister administering government affairs in the field of the state apparatus.

Part Ten
Functional Positions

Article 32

The Functional Positions may be appointed within the BP2MI in accordance with the demands, of which the implementation is according to the provisions of legislation.

CHAPTER IV
POSITION, APPOINTMENT, AND DISMISSAL

Article 33

- (1) The Head is *Jabatan Pimpinan Tinggi Utama*.
- (2) Chief Secretary and Deputies are *Jabatan Pimpinan Tinggi Madya*.
- (3) Heads of Bureau, Directors, Heads of Centers, and Inspectors are a *Jabatan Pimpinan Tinggi Pratama*.
- (4) Heads of Division, Heads of Subdirectorate, and Heads of Technical Divisions are Administrator Positions.
- (5) Heads of Subdivisions, Heads of Section and Heads Sub-Technical Divisions are Supervisory Positions.

Article 34

- (1) The Head is appointed and dismissed by the President based on the proposal of the minister administering government affairs in the field of manpower.
- (2) Provisions regarding the appointment and dismissal of the Head as referred to in section (1) are implemented in accordance with the provisions of legislation.

Article 35

- (1) The Chief Secretary and Deputies are appointed and dismissed by the President based on the proposal of the Head.
- (2) *Pejabat Pimpinan Tinggi Pratama* and below are appointed and dismissed by the Head in accordance with the provisions of legislation.
- (3) Administrator Officials and below may be appointed and dismissed by the official delegated by the Head in accordance with the provisions of legislation.

CHAPTER V

WORK PROCEDURES

Article 36

In performing the function of legislation making as referred in Article 5 section (2) and compilation of regulations regarding implementation in drafting national policies by the minister administering government affairs in the field of manpower, the Head of BP2MI coordinates with the minister administering government affairs in the field of manpower.

Article 37

In order to perform its duties and functions, BP2MI must make the business mapping process that describes effective and efficient work relations among organizational unit in BP2MI and relevant government institutions.

Article 38

The Head submits a report to the President through the minister administering government affairs in the field of manpower regarding the results of performance of duty and function in the field of Placement and Protection of Indonesian Migrant Workers.

Article 39

BP2MI must perform job analysis, map position, workload analysis, and job descriptions for all positions within the BP2MI.

Article 40

In performing its duty, every implementing element within BP2MI must apply the principles of coordination, integration, and synchronization in BP2MI or in relation between government and local government institutions.

Article 41

Every organizational unit leadership must apply the government internal control system in each implementing unit by taking into account public accountability mechanisms through planning, implementing, and integrated performance reporting.

Article 42

Every organizational unit leadership is responsible to lead and coordinate its subordinates and provides direction for the the implementation of subordinate duties.

Article 43

Every organizational unit leadership must supervise the implementation of the duties of their respective subordinates and if there are any deviations, they must take the required steps in accordance with the provisions of legislation.

Article 44

Every organizational unit leadership must follow and obey instructions and be accountable to each superior and submit a periodic performance report on time.

Article 45

In conducting their duties, every leadership of organizational units must conduct guidance and supervision of organizational units lower than them.

CHAPTER VI
FUNDING

Article 46

All funding needed for the implementation of BP2MI's duties and functions is sourced from the State Budget and other legitimate and non-binding sources in accordance with the provisions of legislation.

CHAPTER VII
MISCELLANEOUS PROVISION

Article 47

Further provisions regarding the duties, functions, organizational structure, and work procedures of BP2MI are regulated by the Board's Regulation upon obtaining approval from the minister administering government affairs in the field of the state apparatus.

CHAPTER VIII
TRANSITIONAL PROVISIONS

Article 48

At the time this Presidential Regulation comes into force, all existing positions and officials holding positions within the Indonesian Migrant Workers Placement and Protection Agency as regulated in the Presidential Regulation Number 81 of 2006 on National Agency for Placement and Protection of Indonesian Workforce and their implementing regulations continue to implement their duties and function until the formation of new positions and the appointment of new officials under this Presidential Regulation along with the implementing regulations.

Article 49

- (1) At the time this Presidential Regulation comes into force, civil servants within the the National Board for the Placement and Protection of Indonesian Overseas Workers become civil servants within BP2MI.
- (2) The completion of the transitional administration as referred to in section (1) does not reduce and/or does not eliminate the rights and obligations of civil servants at the National Board for the Placement and Protection of Indonesian Overseas Workers.

Article 50

- (1) At the time this Presidential Regulation comes into force, State-owned asset, funding, staffing, and documents at the National Board for the Placement and Protection of Indonesian Overseas Workers are transferred to BP2MI.
- (2) In the framework of implementing the transfer of State-owned asset, funding, staffing, and documents as referred in section (1), the Head of the National Board for the Placement and Protection of Indonesian Overseas Workers, the Minister of Finance, the Head of National Archives of the Republic of Indonesia, and the Chairperson of the Finance and Development Supervisory Agency, and other relevant institutions regulate the completion of their respective administration to BP2MI.
- (3) The transfer of State-owned asset, funding, staffing, and documents as referred in section (1) and section (2) is implemented not later than 1 (one) year after the issuance of this Presidential Regulation.
- (4) Budget Execution (Allotment) Document of the National Board for the Placement and Protection of Indonesian Overseas Workers may still be implemented until the determination of the BP2MI Budget Execution (Allotment) Document.

Article 51

The technical implementing unit of the National Board for the Placement and Protection of Indonesian Overseas Workers that currently exists continues to implement its duties and functions until:

- a. institutional evaluation is managed by the ministry administering government affairs in the field of state apparatus; and/or;
- b. the formation and implementation of the duties and functions of the Integrated One-Stop Service for Placement and Protection of Indonesian Migrant Workers in the local area.

CHAPTER IX
CLOSING PROVISIONS

Article 52

At the time this Presidential Regulation comes into force, all implementing regulations of Presidential Regulation Number 81 of 2006 on National Board for the Placement and Protection of Indonesian Overseas Workers are declared to remain effective as long as they do not contrary to and have not been amended and/or replaced by new regulations under this Presidential Regulation.

Article 53

At the time this Presidential Regulation comes into force, Presidential Regulation Number 81 of 2006 on National Board for the Placement and Protection of Indonesian Overseas Workers is repealed and declared ineffective.

Article 54

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

In order that every person may know hereof, it is ordered to promulgate this Presidential Regulation by its placement in the State Gazette of the Republic of Indonesia.

Issued in Jakarta
on 30 December 2019

PRESIDENT OF THE REPUBLIC OF
INDONESIA,

signed

JOKO WIDODO

Promulgated in Jakarta
on 31 December 2019

MINISTER OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

signed

YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2019 NUMBER 263

Jakarta, 11 August 2020

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,


WIDODO EKATJAHJANA

