

ELUCIDATION OF
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ON
IMMIGRATION

I. GENERAL

Entering the third millennium marked by the expansion of globalization in all sectors of the world and the development of information and communication technology in the field of information and communication which is beyond nation state borders, human interaction has become more international in nature. At the same time, the growth and the increasing demands for equality in all aspects of human life, has also encouraged the obligation to respect and uphold human rights as a part of universal life.

Along with the developments in the international community, there has been a paradigm change in Indonesian constitutionality aspect as it reforms in all areas. Such changes have led to enormous impact to the equality of rights and obligations for every Indonesian citizen as part of human rights. Given these developments, every citizen has equal opportunities in their right to exit or enter the Indonesian territory. Hence, under this Law Indonesian citizens are not subject to Entry Ban.

The impacts of globalization have influenced the economic system of the Republic of Indonesia and it requires amendment of legislation in economics, industry, commerce, transportation, labor, as well as regulations in the field of the movement of people and goods to anticipate it. Such changes are needed to intensify global relationships of the

Republic of Indonesia which will have a huge impact on the implementation of the functions and duties of Immigration. Streamlining Immigration procedures for foreign investors to invest in Indonesia is imperative, such as ease of granting Permanent Stay Permits for investors who comply with specific requirements. Thus, it is expected to create a conducive investment climate and to attract foreign investors to invest more in Indonesia.

In the international relationship a new law has been developed in the form of international convention which the Republic of Indonesia is one of the signatories. This convention would include the United Nations Convention Against Transnational Organized Crime, 2000, which is ratified by Law Number 5 of 2009 with its two protocols which has led to the increasing role of Immigration institution because the convention has required adoption and implementation by each member country.

On the other hand, the oversight of Foreign Nationals should be enhanced with the incremental growth of international crime or transnational crime, such as human trafficking, People Smuggling and narcotics offenses that are widely committed by organized international crime syndicates. The perpetrators of these crimes in fact cannot be punished by the previous Immigration Law because Law Number 9 of 1992 does not provide any provisions on criminal sanctions for those who organize international crime. Those who may be punished pursuant to Law Number 9 of 1992 are those that are organized as victims to illegally enter Indonesian Territory.

Oversight over Foreign Nationals is not only conducted when they are entering, but also during their stay in Indonesian Territory, including their activities. Immigration oversight includes Immigration law enforcement, both in terms of immigration administrative action and Immigration criminal offenses. Thus, Immigration PPNS needs to be administered to carry out specific duties and authorities based on this Law. Immigration criminal offenses constitute specific crimes; therefore, its formal law and material law are different from the general criminal law, such as a special minimum penalty.

The implementation of the Immigration function along the border is the authority of the immigration institution, so that the Immigration service and oversight is an integral part of geographical condition of Indonesian Territory which comprises islands that have close proximity

and bordering with neighboring countries. At certain places along the border there are traditional points of entry and exit passed by Indonesian citizens and citizens of neighboring countries. To improve services and facilitate oversight, border crossing agreement may be established and the Immigration Checkpoints are expanded. Thus, the people entering and exiting Indonesian Territory without undergoing immigration clearance through Immigration Checkpoint can be avoided.

The national interest is the interest of all the people of Indonesia, so that the oversight of Foreign Nationals also requires the participation of the public to report Foreign Nationals who are known or presumed to be illegally residing in Indonesian Territory or who misuse their Immigration permits. To increase the public's participation, efforts are needed to raise legal awareness of the community.

Foreign National's entry to Indonesian Territory is regulated based on the selective policy upholding the values of human rights. As well as the Foreign National's Stay Permit in Indonesian Territory has to be used in accordance with its purposes. Based on that policy and in order to protect national interests, only Foreign Nationals who benefit the country and those who are not a threat to security and public order are allowed to enter and reside in Indonesian Territory.

To Indonesian citizen applies a principle that Indonesian citizen reserves the right to exit or enter Indonesian Territory. However, under a particular reason and for a specific period, an Indonesian citizen may be banned from exiting Indonesian Territory.

Indonesian citizens cannot be subject to Entry Ban because it is not in accordance with International principles and practices stating that citizens should not be banned from entering their own country.

In addition to the above issues, there are several considerations in updating Law Number 9 of 1992 on Immigration, namely:

- a. Indonesian geographical position with its complexity of cross-border issues closely relates to the aspect of state sovereignty in its relation to other countries;
- b. international agreements or conventions which directly or indirectly impact the implementation of Immigration Functions;
- c. the increase of international and transnational crime, such as illegal migrants, People Smuggling, human trafficking, terrorism, narcotics, and money laundering;

- d. regulations on Detainees and time limits for detention has not been comprehensively outlined;
- e. the implementation of the specific and general Immigration Function requires a systematic approach utilizing information technology and modern communications, as well as the establishment of Immigration Offices and Immigration Detention Centers structure as the technical implementation units under the Directorate General of Immigration;
- f. the changes in citizenship system of the Republic of Indonesia under Law Number 12 of 2006 on the Citizenship of the Republic of Indonesia is related to the implementation of the Immigration Functions, among others regarding limited dual citizenship;
- g. the sovereign right of the country in the application of the principles of reciprocity concerning the granting of Visa to Foreign Nationals;
- h. agreement to globally harmonize and standardize the system and the type of travel documents security, particularly the Regional Asean Plus and also efforts to align or harmonize the criminal actions or punishment against the perpetrators syndicate who organize human trafficking and people smuggling;
- i. the enforcement of Immigration law is ineffective, so that policy regarding conviction needs to include a minimum punishment for people smuggling;
- j. expanding the range of Immigration criminal perpetrators subjects, so as to include not only individuals but also corporations and Sponsor of Foreign National entry into Indonesian Territory which violate Immigration regulations; and
- k. imposing more severe criminal sanctions against Foreign Nationals who violate the Immigration law for a deterrent effect which insofar is ineffective.

Given the aforementioned considerations, it is deemed necessary to amend Law Number 9 of 1992 by establishing a more comprehensive new law in order to adapt to the development of Indonesian society and statehood, relevant policies or legislation, and to anticipate future problems.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Sufficiently clear.

Article 3

Section (1)

Immigration Function under this provision is part of state administration tasks in public service and public protection, Immigration law enforcement, and facilitators of national economic development.

Section (2)

Sufficiently clear.

Section (3)

Immigration Function along the border is in accordance with the duty as the guard of the state gate, not the guard of the state borders.

Article 4

Sufficiently clear

Article 5

In the event that there is no Immigration Officer at an Indonesia Mission Abroad or other location abroad, the immigration duties and the Immigration Functions are undertaken by a local foreign service officer in accordance with the provision of legislation. The appointed foreign service officer under this provision is a functional diplomat official.

A foreign service officer performing immigration duties and Immigration Functions has formerly acquired knowledge in Immigration.

Article 6

Sufficiently clear.

Article 7

The Immigration Management Information System is an integrated management process of data and information, application, and information and communication technology-based devices which are

built to integrate and connect information system in all administrators of the integrated Immigration Function.

Article 8

Section (1)

The term "legal and valid Travel Document" means any travel document issued by authorized officials and valid for at least 6 (six) months before its expiry date.

Section (2)

Sufficiently clear.

Article 9

Section (1)

Sufficiently clear.

Section (2)

In addition to the Travel Document, for accuracy, thoroughness, and precision object, if necessary, examination may be conducted to personal identity to support the authenticity of the Travel document.

Section (3)

The frisk is carried out to seek clarity over the validity of Travel Document and a person's identity. When any indication of Immigration criminal acts is found as a result of the frisk, the process may proceed to the Immigration investigation.

Article 10

Sufficiently clear.

Article 11

Section (1)

The term "emergency" includes any means of transport landing in Indonesian Territory for a humanitarian assistance in a natural disaster area in Indonesian Territory or in the event that any means of transport which carries Foreign National docking or landing somewhere in Indonesia due to mechanical failure or bad weather, where such means of transport do not intend to dock or land in Indonesian Territory.

Section (2)

Sufficiently clear.

Article 12

The term “particular areas” means a conflict zone which will endanger the residency and safety of a Foreign National.

Article 13

Section (1)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Based on a letter of request from an authorized institution.

Point g

The term "international crime and transnational organized crime" means terrorism, people smuggling, human trafficking, money laundering, narcotics and psychotropic crimes.

Based on a letter of request from an authorized institution.

Point h

Based on a letter of request from an authorized institution.

Point i

Based on a letter of request from an authorized institution.

Point j

Based on a letter of request from an authorized institution.

Section (2)

The term “placed under supervision” means to detain a Foreign Nationals in an Immigration Detention Center or an Immigration Detention Room or a special room awaiting their removal from

Indonesian Territory. In the event that a Foreign National arrives by a ship, the person is placed on the ship and prohibited to disembark while the ship is in Indonesian Territory, until leaving Indonesian Territory.

Article 14

Sufficiently clear.

Article 15

Sufficiently clear.

Article 16

Section (1)

Sufficiently clear.

Section (2)

This provision is intended to protect the national interest or to avoid public loss, for example the foreign nationals have not fulfilled or are not willing to fulfil their tax obligation.

Article 17

Sufficiently clear.

Article 18

Section (1)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

The term “to give a sign or hoist a signal flag” means to hoist the “N” flag that is commonly used in international practices.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Point h

In this provision, "each passenger and/or crew of means of transport" means a passenger who has no Entry Stamp, crew, or a passenger who was left behind.

Section (2)

The Advanced Passenger Data Information System is also commonly referred to as Advance Passenger Information System. Any means of transport which has not used the Advanced Passenger Data Information System is given an opportunity with a particular deadline.

Article 19

Sufficiently clear.

Article 20

Sufficiently clear.

Article 21

The term "another place" means seaport, airport, border-crossing station or other appropriate places for immigration clearance.

Article 22

Section (1)

The term "immigration area" means an area at the Immigration Checkpoint, starting from queue area for Immigration clearance at the departure terminal to the means of transport or from the means of transport to the Immigration clearance booth at the arrival terminal.

It is very important to designate the immigration area in order to decide the status of a person whether they are considered to have been exited from or entered into Indonesian Territory.

Section (2)

Sufficiently clear.

Section (3)

Head of Immigration Office, under this provision, supervises Immigration Checkpoint at airports, seaports, or border-crossing stations.

Section (4)

This provision is implemented in accordance with the principles of reciprocity, if it is issued to a foreign national undertaking diplomatic mission.

Article 23

Sufficiently clear.

Article 24

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

The term “public documents” means any document which may be withdrawn anytime, if required for the interest of the state. This document is not securities, so that the Travel Document of the Republic of Indonesia cannot be used under civil law, among others for debt collateral.

Article 25

Sufficiently clear.

Article 26

Sufficiently clear.

Article 27

Section (1)

The term “particular circumstance” means among others, returning an Indonesian citizen from another country.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 28

Travel Document in Lieu of a Passport may be issued collectively for some Indonesian citizens who encounter problems abroad and are returned together by the government of a foreign country.

Article 29

Sufficiently clear.

Article 30

Sufficiently clear.

Article 31

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

The term “commits a criminal act or violates Indonesian legislation” means any person who is an Indonesian citizen presumed to commit any act which causes a state loss and/or violate laws which are threatened with five (5) years sanction or more, who still remains inside or outside Indonesian Territory. Ordinary passport withdrawal from a suspect who has been residing abroad must be followed by the issuance of Travel Document in Lieu of a Passport of the Republic of Indonesia which will be used to return the suspect to Indonesia.

Article 32

Sufficiently clear.

Article 33

Sufficiently clear.

Article 34

Sufficiently clear.

Article 35

Diplomatic Visa is granted to Foreign Nationals including their family, based on international agreement, principles of reciprocity and courtesy.

Article 36

Official Visa is granted to Foreign Nationals including their family, under international agreement, principles of reciprocity, and courtesy in undertaking non-diplomatic official duties.

Article 37

Sufficiently clear.

Article 38

A visitor Visa in practice may be granted for the following activities, among others:

1. tourism;
2. families;
3. social;
4. art and culture;
5. government duties;
6. non-commercial sports;
7. comparative study, short courses, and short training;
8. providing consultation, dissemination, and training for the application and innovation of industrial technology to improve quality and design of industrial products as well as collaboration in global marketing for Indonesia;
9. undertaking emergency and urgent works;
10. journalistic coverage which has obtained a permit from the authorized institution;
11. non-commercial filmmaking which has obtained a permit from

- the authorized institution;
- 12. business meetings;
- 13. purchase of goods;
- 14. delivering speeches or participating in seminars;
- 15. participating in international exhibitions;
- 16. attending meetings held by a headquarter or a representative office in Indonesia;
- 17. undertaking audits, production quality control, or inspection to subsidiaries in Indonesia;
- 18. a probationary work for a candidate of foreign worker;
- 19. transiting to another country; and
- 20. joining a means of transport in Indonesian Territory.

Article 39

A temporary stay Visa is granted to a Foreign National who intends to reside temporarily and may also be granted to a Foreign National who is a former Indonesian citizen who has lost his or her Nationality of the Republic of Indonesia based on the Law on Citizenship of the Republic of Indonesia and intends to return to Indonesia in accordance with the provision of legislation.

A temporary stay Visa in practice can be granted to undertake the following activities, among others:

1. For working:
 - a. as an expert;
 - b. to join a ship, floating infrastructure, or installation operating in Indonesia's archipelago waters, territorial seas, continental shelves, and/or Exclusive Economic Zone of Indonesia;
 - c. as clerics;
 - d. as paid professionals, such as a person engaged in sports, arts, entertainment, medications, consultations, lawyers, trades, and other professional activities which have been granted a permit from the authorized institution;
 - e. in activities for commercial filmmaking and have been granted a permit from the authorized institution;
 - f. in supervising the quality control of goods or productions;
 - g. in undertaking inspections or audits in subsidiaries in

- Indonesia;
 - h. in after-sales service;
 - i. in machinery installation and repair;
 - j. in non-permanent job in construction work;
 - k. to organize performance;
 - l. to organize professional sport events;
 - m. in medications; and
 - n. as a candidate for a foreign worker in probationary work;
2. For non-working:
- a. as foreign investors;
 - b. to participate in training and scientific research;
 - c. for education;
 - d. for joining family;
 - e. for repatriation; and
 - f. for elderly people.

Article 40

Sufficiently clear

Article 41

Section (1)

Sufficiently clear

Section (2)

Foreign Nationals from particular countries who are granted a Visa on Arrival, among others, Foreign Nationals from countries which are categorized as tourist generating countries or from countries with good diplomatic relationship with Indonesia but such country does not provide Visa exemption facilities to the Indonesian citizens.

Section (3)

Sufficiently clear.

Article 42

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Such refusal is in accordance with a letter of request from an authorized institution.

Point g

Such refusal is in accordance with a letter of request from an authorized institution.

Point h

Such refusal is in accordance with a letter of request from an authorized institution.

Article 43

Section (1)

Sufficiently clear.

Section (2)

Point a

The term “Visa exemption” in this provision means, for instance for a tourism purpose which benefits the improvement of national development by taking into account the principles of reciprocity, which means Visa exemption is only granted to Foreign Nationals whose countries also grant a Visa exemption to Indonesian citizen.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Article 44

Sufficiently clear.

Article 45

Sufficiently clear.

Article 46

Section (1)

The term “reside in Indonesian Territory” means for an assignment in the country’s mission or representative office of international organization.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 47

Sufficiently clear.

Article 48

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

In principle, any Foreign National entering Indonesian Territory must have a Visa. In accordance to the Visa, Foreign National is granted a Stay Permit in Indonesian Territory, but the provision is not applicable to Foreign Nationals residing in Indonesian Territory as victims of human trafficking.

Section (3)

Sufficiently clear.

Section (4)

The term “particular area” means any conflict zone which will harm the residency, safety and security of a Foreign National.

Section (5)

Sufficiently clear.

Article 49

Sufficiently clear.

Article 50

Sufficiently clear.

Article 51

Sufficiently clear.

Article 52

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

The term “territorial waters” means internal waters, archipelagic waters, and territorial seas.

The term “jurisdiction” means any territory outside of the territorial waters consisting of the Exclusive Economic Zones, Continental Shelves, and Additional Zones, the state has sovereign rights and particular authority as regulated in the provisions of legislation and international law.

Point e

Sufficiently clear.

Point f

The term “child” means a child of a Foreign National widower/widow/divorcee who is married to an Indonesian citizen or his or her adopted child.

Article 53

Sufficiently clear.

Article 54

Section (1)

Point a

The term “clerics” means religious leader of recognized religions under Indonesian laws.

Point b

The term “family member” means husband/wife, and their child/children.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Section (2)

Sufficiently clear

Section (3)

Sufficiently clear.

Article 55

Sufficiently clear.

Article 56

Section (1)

The term “the change of status” means any change in the status of the Foreign National’s residency from a Visitor Stay Permit to a Temporary Stay Permit and from a Temporary Stay Permit to a Permanent Stay Permit.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 57

Sufficiently clear.

Article 58

The term “in doubt with the status of a Foreign National’s Stay Permit and citizenship” means among others, any Immigration data which indicate that the Foreign National’s citizenship status is unclear.

Article 59

Sufficiently clear.

Article 60

Sufficiently clear.

Article 61

The term “their family” means a husband/wife, and their child/children.

Article 62

Sufficiently clear.

Article 63

Section (1)

The term “certain Foreign National” means a Foreign National holding a Temporary Stay Permit or Permanent Stay Permit.

Section (2)

The term “changes in civil status” means among others, birth, marriage, divorce, death, and other changes, for instance sex change.

Section (3)

Sufficiently clear.

Section (4)

Provisions concerning the guarantee is not applicable because in principle a husband or wife in a marriage is responsible for his or her spouse and/or his or her child/children.

Section (5)

Sufficiently clear.

Article 64

Sufficiently clear.

Article 65

Sufficiently clear.

Article 66

Section (1)

Sufficiently clear.

Section (2)

Immigration oversight means any oversight of both Indonesian citizens and Foreign Nationals.

Article 67

Sufficiently clear.

Article 68

Sufficiently clear.

Article 69

Section (1)

The term “relevant government agencies or institutions” means, for example, the Ministry of Home Affairs, the Ministry of Foreign Affairs, the Indonesian National Police, the Indonesian National Armed Forces, the Attorney General of the Republic of Indonesia, and the Ministry of Manpower and Transmigration.

Section (2)

Sufficiently clear.

Article 70

Sufficiently clear.

Article 71

Point a

The term “change in civil status” means among others, birth, marriage, divorce, and death. In the event that the guarantor has reported the change of status, the Foreign National is not required to report it.

Point b

Sufficiently clear.

Article 72

Section (1)

Request for information about data can be carried out, either manually or electronically.

Section (2)

Sufficiently clear.

Article 73

Sufficiently clear.

Article 74

Section (1)

Sufficiently clear.

Section (2)

The term “preliminary investigation of Immigration” means any activities or actions by the Immigration Officer to look for and find out an event suspected to be an Immigration criminal act.

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

“Immigration Intelligence operation” means any activities carried out based on a plan to achieve a specific objective specified and implemented upon an order from an authorized Immigration Officer.

Point d

Sufficiently clear.

Article 75

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Such prohibition is addressed to a Foreign National whose residency in a particular Indonesian Territory is not allowed

by the government.

Point d

The term “to reside at a certain place” means placement at the Immigration Detention Center, Immigration Detention Room, or other places.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 76

Sufficiently clear.

Article 77

Sufficiently clear.

Article 78

Sufficiently clear.

Article 79

Sufficiently clear.

Article 80

Sufficiently clear.

Article 81

Sufficiently clear.

Article 82

Sufficiently clear.

Article 83

Section (1)

Sufficiently clear.

Section (2)

The term “other places” means hospitals or accommodations that

are easily controlled by Immigration Officers.

Article 84

Sufficiently clear.

Article 85

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

If detainees are unable to be deported after having the status as detainees for more than ten (10) years, they may be considered to be given a chance to live as is fundamental rights in general, outside the Detention Center under a particular status by considering their behavior during the detention; however, they remain under the supervision of the Minister or appointed Immigration Officer by obligation to report periodically.

Section (4)

This provision is intended so that the supervision of the Detainee's activities and residency would not bring negative impact to the public. In addition, endeavor to Deportation to their country of origin or to third country which is willing to receive them still continues.

Article 86

The term "victims of human trafficking" means a person who suffers from psychiatric, mental, and physical disorders, sexual harm, economic and/or social damages, caused by the criminal act of human trafficking.

Article 87

Section (1)

The term "other places" means among others, accommodations, houses, or dormitories which are determined by the Minister.

Section (2)

The term "special treatment" means a regulation in the Immigration Detention Center that is applicable to detainees, but is not fully applicable to the victims because the victims are not

Detainees.

Article 88

Sufficiently clear.

Article 89

Sufficiently clear.

Article 90

Sufficiently clear.

Article 91

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

In urgent circumstances, the Indonesian National Police have the authority to submit a direct request to an authorized Immigration Officer at an Immigration Checkpoint to ban a suspected person committing a criminal act from escaping abroad.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 92

In this provision, “urgent circumstances” means, for example, a person who is about to be the subject of exit ban and is feared to escape abroad at that time, or is already at the Immigration Checkpoint to go abroad prior to the issuance of the Exit Ban

decision.

The term “a designated Immigration Officer” means an Immigration Officer at an Immigration Checkpoint or other technical implementation units.

Article 93

Sufficiently clear.

Article 94

Section (1)

A written Exit Ban decision is issued by institutions which ask or request for its implementation.

Section (2)

Sufficiently clear.

Section (3)

An institution which issues such Exit Ban decision is obligated to deliver the decision to the person who is subject to the Exit Ban.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)

Sufficiently clear.

Article 95

Sufficiently clear.

Article 96

The term “file an appeal” means a legal measure provided to the person who is subject to Exit Ban in order to defend him/herself from the Exit Ban decision.

Article 97

Section (1)

Sufficiently clear.

Section (2)

Termination by operation of law is a reason for lifting the Exit Ban and the person may travel out of Indonesian Territory.

Section (3)

Sufficiently clear.

Article 98

Section (1)

The authority for Entry Ban is an implementation of state sovereignty to maintain security and public order which are carried out based on Immigration reasons.

Section (2)

The authorized officials in this provision is the head of government institution.

Article 99

Sufficiently clear.

Article 100

Sufficiently clear.

Article 101

Sufficiently clear.

Article 102

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Implementation of the provision under this section is based on the principle of double criminality by respective countries. For example, the crime of circulating counterfeit money, terrorism, or narcotics declared as criminal acts both in Indonesia and in the country of origin of such Foreign National.

Article 103

Sufficiently clear.

Article 104

Sufficiently clear.

Article 105

Sufficiently clear.

Article 106

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

The term “any person” means any individual or corporation.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Point h

Sufficiently clear.

Point i

Sufficiently clear.

Point j

Sufficiently clear.

Point k

Sufficiently clear.

Point l

Sufficiently clear.

Point m

Sufficiently clear.

Point n

Sufficiently clear.

Point o

Sufficiently clear.

Article 107

Section (1)

Coordination with the investigator of the Indonesian National Police is conducted since the issuance of the notification of opening investigation, conducting the investigation until completing the files, and submitting the copy of case files to the Investigator of the Indonesian National Police. This coordination is undertaken to avoid overlapping investigations.

Section (2)

Sufficiently clear.

Article 108

Sufficiently clear.

Article 109

Sufficiently clear.

Article 110

Sufficiently clear.

Article 111

Sufficiently clear.

Article 112

Sufficiently clear.

Article 113

Sufficiently clear.

Article 114

Sufficiently clear.

Article 115

Sufficiently clear.

Article 116

Sufficiently clear.

Article 117

Sufficiently clear.

Article 118

Sufficiently clear.

Article 119

Sufficiently clear.

Article 120

Sufficiently clear.

Article 121

Sufficiently clear.

Article 122

Sufficiently clear.

Article 123

Sufficiently clear.

Article 124

Sufficiently clear.

Article 125

Sufficiently clear.

Article 126

Sufficiently clear.

Article 127

Sufficiently clear.

Article 128

Sufficiently clear.

Article 129

Sufficiently clear.

Article 130

Sufficiently clear.

Article 131

Sufficiently clear.

Article 132

Sufficiently clear.

Article 133

Sufficiently clear.

Article 134

Sufficiently clear.

Article 135

Fraudulent marriage is a marriage of an Indonesian citizen or a foreign national holding a Stay Permit with a foreign national and the marriage is not a real marriage, but only to obtain a Stay Permit or a Travel Document of the Republic of Indonesia. From a legal perspective, such marriage is an evasion of law.

Article 136

Sufficiently clear.

Article 137

Sufficiently clear.

Article 138

Sufficiently clear.

Article 139

Sufficiently clear.

Article 140

Sufficiently clear.

Article 141

Sufficiently clear.

Article 142

Sufficiently clear.

Article 143

Sufficiently clear.

Article 144

Sufficiently clear.

Article 145

Sufficiently clear.