

REGULATION OF THE REGENCY OF DEMAK
NUMBER 14 OF 2024
ON
IMPLEMENTATION OF PROTECTION OF INDONESIAN MIGRANT WORKERS

BY THE BLESSINGS OF ALMIGHTY GOD

REGENT OF DEMAK,

- Considering :
- a. that in supporting the implementation of human rights protection in the Region in working to obtain guaranteed rights, opportunities, and provide protection for every citizen of the Region without discrimination to obtain guaranteed employment and decent income both at home and abroad in accordance with expertise, skills, talents, interests, and abilities;
 - b. that there is no guarantee of maximum protection provided by the local government from human trafficking, slavery and forced labour, victims of violence, arbitrariness, crimes against human dignity and honour, and other treatment that violates human rights and the empowerment of migrant workers after returning from abroad for workers originating from the Region;
 - c. that in order to provide legal certainty regarding protection for migrant workers, special regulations are

needed regarding the protection of Indonesian migrant workers originating from regions according to their authority;

- d. that based on the considerations as referred to in point a, point b, and point c, it is necessary to establish a Regional Regulation on Implementation of Protection of Indonesian Migrant Workers;

Observing :

1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 13 of 1950 on Formation of the Regions of the Regency within the Province of Central Java (State Bulletin of the Republic of Indonesia of 1950 Number 42);
3. Law Number 23 of 2014 on Local Governments (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as amended several times, last by Law Number 6 of 2023 on Enactment of Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation to Become Law (State Gazette of the Republic of Indonesia of 2023 Number 41 , Supplement to the State Gazette of the Republic of Indonesia Number 6856);
4. Law Number 18 of 2017 on Protection of Indonesian Migrant Workers (State Gazette of the Republic of Indonesia 2017 Number 242, Supplement to the State Gazette of the Republic of Indonesia Number 6141) as amended several times, last by Law Number 6 of 2023 on Enactment of Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation to Become Law (State Gazette of the Republic of Indonesia of 2023 Number 41 , Supplement to the State Gazette of the Republic of Indonesia Number 6856);
5. Law Number 11 of 2023 on Central Java Province (State Gazette of the Republic of Indonesia of 2023 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 6867);

6. Government Regulation Number 59 of 2021 on Implementation of Protection of Indonesian Migrant Workers, (State Gazette of the Republic of Indonesia of 2021 Number 94);

With the Joint Approval of
THE REGIONAL HOUSE OF REPRESENTATIVES OF THE REGENCY OF
DEMAK

and

THE REGENT OF DEMAK

HAS DECIDED:

To issue : REGIONAL REGULATION ON IMPLEMENTATION OF PROTECTION
OF MIGRANT WORKERS

CHAPTER I GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Central Government means the President of the Republic of Indonesia who holds the power to govern the Republic of Indonesia, assisted by the Vice President and ministers as referred to in the 1945 Constitution of the Republic of Indonesia.
2. Local Government means the Regent as an element of the Local Government administrator who leads the implementation of government affairs which are the authority of the autonomous region.
3. Region means the Regency of Demak.
4. Regent means the Regent of Demak.
5. Regional Apparatus means elements that assist the Regent and the Regional House of Representatives in administering Government Affairs which become the authority of the Region.
6. Village Government means Village Head assisted by village officials as elements of the village government administration.

7. Prospective Indonesian Migrant Worker means any Indonesian worker originating from the Region who fulfils the criteria as a job seeker who will work abroad and are registered with the Office.
8. Office of Manpower and Industry hereinafter referred to as the Office means a Regional Apparatus that organizes government affairs in the field of Manpower.
9. Indonesian Migrant Worker from the Region means any Indonesian national originating from the Region who will, currently works, or has worked for wages outside the territory of the Republic of Indonesia.
10. Family of Indonesian Migrant Worker means the husband, wife, children, or parents of worker including the relationship due to court's ruling and/or verdict, both the ones who live in Indonesia and the ones who live with Indonesian Migrant Worker abroad.
11. Individual Indonesian Migrant Worker means an Indonesian Migrant Worker who will work abroad without going through placement operator.
12. Protection of Indonesian Migrant Workers means all efforts to protect the interests of Prospective Indonesian Migrant Workers and/or Indonesian Migrant Workers and their families in realizing the guarantee of their rights in all activities before, during, and after work in legal, economic and social aspects.
13. Before Working Protection means the overall activities to give protection since the registration until the departure.
14. After Working Protection means the entire activities to give protection since Indonesian Migrant Workers and the members of their family arrive at debarkation in Indonesia until they return to their hometowns, including the follow through service to be productive workers.
15. Indonesian Migrant Worker Placement Company (*Perusahaan Penempatan Pekerja Migran Indonesia*) hereinafter referred to as P3MI means a limited liability legal entity that has obtained written permission from

the Central Government administering government affairs in the field of manpower to provide placement services for Indonesian Migrant Workers.

16. Child means a person who is not yet 18 (eighteen) years old, including a child who is still in the womb.
17. Business Partner means an institution and/or business entity that is legally incorporated in the destination country that is responsible to place Indonesian Migrant Workers to employers.
18. Employer means government institutions, government legal entities, private legal entities, and/or Individuals in the destination country that employs Indonesian Migrant Workers.
19. Indonesian Migrant Worker Placement Agreement, hereinafter referred to as the placement agreement, means a written agreement between the Indonesian Migrant Worker placement operator and the Prospective Indonesian Migrant Worker that contains the rights and obligations of each party, in the placement of Indonesian Migrant Workers in the destination country in accordance with the provisions of legislation.
20. Employment Agreement means the written agreement between Indonesian Migrant Workers and employers that contains terms of employment, rights and obligations of each party, as well as security and safety assurance during working in accordance with the provisions of legislation.
21. Pre-Departure Orientation (*Orientasi Pra Pemberangkatan*), hereinafter abbreviated to OPP, means the activity of briefing and disseminating information to prospective Indonesian Migrant Workers who will go to work abroad so that Indonesian Migrant Workers will have mental and knowledge readiness to work abroad, understand their rights and obligations and be able to overcome problems that will possibly be faced
22. One-Stop Integrated Service for Placement and Protection of Indonesian Migrant Workers (*Layanan*

Terpadu Satu Atap Penempatan dan Perlindungan Pekerja Migran Indonesia) hereinafter referred to as LTSA for Indonesian Migrant Workers means a service system for information dissemination, fulfilling requirements, and dealing with issues of Indonesian Migrant Workers integrated in public services that are cheap, easy and fast without any discrimination.

23. Social Security means one of the social protection forms to ensure that all citizens can fulfil their decent basic needs.
24. Work Visa means a written permit that is given by an authorized official of a destination country that contains the approval to enter and work in the designated country.
25. Indonesian Migrant Workers Protection Board (*Badan Pelindungan Pekerja Migran Indonesia*) hereinafter abbreviated as BP2MI means a non-ministerial government institution that serves as the policy implementer in service and Protection of Indonesian Migrant Workers in an integrated manner.
26. License of Indonesian Migrant Workers Recruitment (*Surat Izin Perekrutan Pekerja Migran Indonesia*) hereinafter referred to as SIP2MI means a permit that is given by the head of BP2MI that is used to place Prospective Indonesian Migrant Workers
27. Job Placement Officers means a civil servant who is given duties, responsibilities, authority and full rights to carry out inter-work service activities.

Article 2

- (1) Protection of Indonesian Migrant Workers from the Region is carried out based on the principles of:
 - a. integration;
 - b. equal rights;
 - c. recognition of human dignity and rights;
 - d. democracy;
 - e. social justice;
 - f. gender equality and fairness; and

- g. non-discrimination;
 - h. anti-human trafficking;
 - i. transparency;
 - j. accountability; and
 - k. sustainability.
- (2) Implementation of Protection of Indonesian Migrant Workers from the Region is carried out by the Local Government.
- (3) Protection of Indonesian Migrant Workers from the Region as referred to in section (2) is provided to Prospective Regional Indonesian Migrant Workers and/or Indonesian Migrant Workers placed by P3MI, companies that place Regional Indonesian Migrant Workers for the benefit of their own companies, and Regional Indonesian Migrant Workers individually.

Article 3

The scope of protection of Indonesian Migrant Workers from the Region in this Regional Regulation includes:

- a. Indonesian Migrant Workers from the Region;
- b. protection of Indonesian Migrant Workers from the Region;
- c. individual Indonesian Migrant Workers;
- d. obligations and prohibitions;
- e. dispute resolution;
- f. LTSA for Indonesian Migrant Workers;
- g. duties and responsibilities of the Local Government;
- h. duties of the Village Government;
- i. cooperation and synergy;
- j. guidance and supervision;
- k. funding;
- l. provisions for investigation;
- m. criminal provisions; and
- n. miscellaneous provisions.

CHAPTER II

INDONESIAN MIGRANT WORKERS FROM THE REGION

Part One

General

Article 4

- (1) Indonesian Migrant Workers from the Region include:
 - a. Indonesian Migrant Workers who work for legal entity Employers;
 - b. Indonesian Migrant Workers who work for individual or household Employers; and
 - c. Ship crew members and fishing sailors.
- (2) Excluded from being included in Indonesian Migrant Workers from the Region as referred to in section (1), namely:
 - a. Indonesian nationals who are sent or employed by international institutions or by countries outside their territory to carry out official duties;
 - b. students and training participants abroad;
 - c. Indonesian refugees or asylum seekers;
 - d. investors;
 - e. state civil servants or local workers who work in Indonesian Missions;
 - f. Indonesian nationals who work in institutions financed by the state budget; and
 - g. Indonesian nationals who own independent businesses abroad.

Part Two

Rights and Obligations of Indonesian Migrant Workers from the Region

Article 5

- (1) Every Prospective Indonesian Migrant Workers from the Region or Indonesian Migrant Workers from the Region has the right to:

- a. get a job abroad and choose a job according to their competence;
 - b. get access to self-improvement through education and job training;
 - c. get accurate information concerning labour market, placement procedures, and working conditions abroad;
 - d. get professional and humane services and non-discriminative treatment before, during, and after work;
 - e. worship in accordance with their own religion and belief;
 - f. receive wages according to the wage standards applicable in the destination countries and/or the agreement between the two countries and/or the Employment Contract;
 - g. get legal protection and assistance for treatments that can demean human dignity in accordance with the legislation in Indonesia and in destination countries;
 - h. receive an explanation of the rights and obligations as stated in the Employment Contract;
 - i. have access to communication;
 - j. manage travel documents while working;
 - k. form associations and gather in the destination countries in accordance with the provisions of legislation in the destination countries;
 - l. receive assurance of safety and security protection for the return of Indonesian Migrant Workers to their hometowns; and/or
 - m. obtain documents and Employment Contract for Prospective Indonesian Migrant Workers from the Region and/or Indonesian Migrant Workers from the Region.
- (2) Every Indonesian Migrant Workers from the Region has obligations to:
- a. obey the legislation, both in the home countries and in the destination countries;

- b. respect the customs or traditions prevailing in the destination countries;
 - c. obey and carry out their work in accordance with the Employment Contract; and
 - d. report their arrival, presence, and repatriation of Indonesian Migrant Workers to the Indonesian Missions in the destination countries.
- (3) Every Family of the Indonesian Migrant Workers from the Region has rights to:
- a. obtain information regarding the conditions, problems, and repatriation of Indonesian Migrant Workers from the Region;
 - b. receive all the belongings of Indonesian Migrant Workers who passed away abroad;
 - c. obtain copies of documents and the Employment Contract of Prospective Indonesian Migrant Workers from the Region and/or Indonesian Migrant Workers from the Region; and
 - d. have access to communication.

CHAPTER III

PROTECTION OF INDONESIAN MIGRANT WORKERS FROM THE REGION

Part One

General

Article 6

- (1) Every Indonesian Migrant Workers from the Region who will work abroad must meet the requirements:
- a. being at least 18 (eighteen) years of age;
 - b. having competence;
 - c. being physically and mentally healthy;
 - d. being registered and having a Social Security membership number; and
 - e. possessing complete required documents.

- (2) In addition to what is referred to in section (1), every Indonesian Migrant Workers from the Region who will work abroad must meet the requirements:
 - a. for Prospective Indonesian Migrant Workers from the Region, women must not have biological children aged less than 12 (twelve) months; and
 - b. for Prospective Indonesian Migrant Workers from the Region who have not graduated from formal education must be able to read, write and count.
- (3) To obtain protection and be placed abroad, Prospective Indonesian Migrant Workers from the Region must have documents that include:
 - a. resident identity card and family card;
 - b. statement of marital status, for those who have married disclose a copy of marriage book;
 - c. letter of consent from husband or wife, parental consent, guardianship consent that is acknowledged by village head or lurah;
 - d. certificate of work competency;
 - e. health certificate based on medical examination and psychology assessment;
 - f. passport that is issued by local immigration office;
 - g. Work Visa;
 - h. Indonesian Migrant Worker Placement Agreement; and
 - i. Employment Contract.
- (4) Every Prospective Indonesian Migrant Workers from the Region/Indonesian Migrant Workers from the Region has the right and obligation to obtain protection in accordance with the provisions of legislation.
- (5) The protection as referred to in section (4) which becomes duty and authority of the Region includes:
 - a. Before Working Protection; and
 - b. After Working Protection.

Part Two
Before Working Protection

Paragraph 1
General

Article 7

- (1) Before Working Protection as referred to in Article 6 section (5) point a includes:
 - a. administrative protection; and
 - b. technical protection.
- (2) The administrative protection as referred to in section (1) point a, at least includes:
 - a. completeness and validity of placement documents; and
 - b. determination of work conditions and terms of employment.
- (3) The technical protection as referred to in section (1) point b, at least includes:
 - a. provision of socialization and dissemination of information;
 - b. improving the quality of Prospective Indonesian Migrant Workers from the Region through education and job training;
 - c. Social Security;
 - d. facilitation of fulfilment of the rights of Prospective Indonesian Migrant Workers from the Region;
 - e. strengthening the role of functional of Job Placement Officers;
 - f. placement services in LTSA for Indonesian migrant workers; and
 - g. coaching and supervision.

Article 8

Before Working Protection Stages as referred to in Article 7 are carried out through:

- a. provision of information;

- b. education and job training for Prospective Indonesian Migrant Workers from the Region;
- c. registration;
- d. selection of Prospective Indonesian Migrant Workers from the Region;
- e. signing of Placement Agreement; and
- f. implementation of OPP.

Paragraph 2

Provision of Information

Article 9

- (1) The provision of information as referred to in Article 8 point a, includes information regarding:
 - a. labour market;
 - b. placement procedures;
 - c. requirements for working abroad; and
 - d. requirements for working abroad.
- (2) The information on the labour market as referred to in section (1) point a includes:
 - a. job vacancies;
 - b. types of positions; and
 - c. job requirements.
- (3) Provision of information as referred to in section (1) is carried out by the LTSA for Indonesian Migrant Workers.
- (4) In the event that the LTSA for Indonesian Migrant Worker has not been formed, the provision of information as referred to in section (1) is carried out by the Office and/or BP2MI.
- (5) The provision of information as referred to in section (3) and section (4) is carried out by involving the village government.
- (6) The provision of information as referred to in section (1) is carried out online or offline.

Paragraph 3

Education and Job Training for Prospective Indonesian
Migrant Workers from the Region

Article 10

- (1) In improving the quality of Prospective Indonesian Migrant Workers from the Region through education and job training as referred to in Article 8 point b, it is carried out through:
 - a. standardization of job training competencies as well as competency-based education and job training systems in accordance with the type of work to be performed;
 - b. revitalization and optimization of Local Government work training centers;
 - c. allocation of education and job training budgets in the local budget in accordance with the financial capacity of the region; and
 - d. provision of proper job training facilities and infrastructure for Indonesian Migrant Workers undergoing education and training.
- (2) The provision of education and job training as referred to in section (1) is carried out by the Local Government in accordance with its authority.
- (3) The provision of education and training as referred to in section (2) may be carried out in collaboration with accredited educational institutions and job training institutions owned by the Central Government, the Government of the Province of Centra Java and/or private institutions.
- (4) In the event that revitalization and optimization as well as implementation of improving the quality of Prospective Indonesian Migrant Workers from the Region through education and job training have not been implemented as referred to in section (3), cooperation may be carried out with accredited educational institutions and job training institutions owned by the government and/or private institutions.

- (5) Further provisions regarding the provision of education and job training for Prospective Indonesian Migrant Workers from the Region as referred to in section (1) are regulated in a Regent Regulation.

Paragraph 4

Registration

Article 11

- (1) The registration as referred to in Article 8 point c, is carried out by Prospective Indonesian Migrant Workers from the Region at the LTSA for Indonesian Migrant Workers by completing the required documents.
- (2) In the event that the LTSA for Indonesian Migrant Workers as referred to in section (1) has not been formed, registration is carried out at the Office.
- (3) The required documents as referred to in section (1) at least include:
 - a. electronic resident identity card and family card;
 - b. certificate of marital status for those who are married by attaching a photocopy of the marriage certificate;
 - c. certificate of permission from husband or wife, permission from parents, or permission from guardians acknowledged by the head of rural village or urban head;
 - d. certificate of work competency;
 - e. certificate of health; and
 - f. national health insurance membership card.
- (1) The registration at LTSA for the Indonesian Migrant Workers as referred to in section (1) is carried out in accordance with the provisions of legislation.

Paragraph 5

Selection of Prospective Indonesian Migrant Workers from the Region

Article 12

- (1) The selection as referred to in Article 8 point d, is in the form of technical selection according to the needs of the destination countries.
- (2) The selection as referred to in section (1) is carried out by P3MI by involving Job Placement Officers or job intermediary officers.
- (3) The technical selection carried out by Job Placement Officers or job intermediary officers as referred to in section (2) by conducting:
 - a. verification of the required documents for Prospective Indonesian Migrant Workers from the Region;
 - b. interviews with Prospective Indonesian Migrant Workers from the Region; and
 - c. explanation of the contents of the placement agreement
- (4) In certain cases, P3MI officers may involve Business Partners and/or Employers to interview Prospective Indonesian Migrant Workers from the Region by first reporting to LTSA for the Indonesian Migrant Workers or the Office.
- (5) Indonesian Migrant Workers from the Region who have declared passing the selection are announced through an online or offline system by the LTSA for Indonesian Migrant Workers or the Office.

Article 13

For Prospective Indonesian Migrant Workers from the Region who have been declared to have passed the selection as referred to in Article 12 section (5), they must make a passport in accordance with the provisions of legislation.

Paragraph 6

Signing of Placement Agreement

Article 14

- (1) Prospective Indonesian Migrant Workers from the Region who have passed the selection must sign a Placement Agreement as referred to in Article 9 point e with the P3MI and be acknowledged by the Office official or Job Placement Officers appointed by the Head of the Office.
- (2) The Placement Agreement as referred to in section (1) contains at least:
 - a. name, profile, and complete address of the Employer;
 - b. name and complete address of the Indonesian Migrant Workers from the Region;
 - c. position or type of work of the Indonesian Migrant Workers from the Region;
 - d. rights and obligations of the parties;
 - e. conditions and requirements of work including working hours, wages and payment procedures, leave and rest time rights, and facilities and Social Security and/or insurance;
 - f. term of the Employment Contract; and
 - g. guarantee of security and safety of Indonesian Migrant Workers during working.
- (3) The Placement Agreement as referred to in section (1) is made in 3 (three) copies which are intended for:
 - a. Prospective Indonesian Migrant Workers from the Region;
 - b. P3MI; and
 - c. Office.

Paragraph 7

OPP Implementation

Article 15

- (1) P3MI must register Prospective Indonesian Migrant Workers from the Region in the OPP as referred to in Article 8 point f.
- (2) The registration as referred to in section (1) must attach employment contracts, passports, and work visas for

Prospective Indonesian Migrant Workers from the Region.

Article 16

OPP as referred to in Article 15 aims to provide understanding and in-depth study of:

- a. legislation in the destination countries, including:
 1. legislation in the field of immigration;
 2. legislation in the field of manpower; and
 3. legislation in the field relating to criminal provisions in the destination countries.
- b. Employment Contract material; and
- c. other material deemed necessary.

Article 17

- (1) The OPP as referred to in Article 15 may be held at the LTSA for Indonesian Migrant Workers or by the Office.
- (2) The implementation of the OPP as referred to in section (1) may include a Job Placement Officers or job intermediary officer and other necessary resource persons related to the placement and protection of Indonesian Migrant Workers from the Region.

Article 18

- (1) The OPP as referred to in Article 17 must be completed not later than 2 (two) days before the Prospective Indonesian Migrant Workers from the Region depart for the destination countries.
- (2) The Prospective Indonesian Migrant Workers from the Region as referred to in section (1) is given a certificate of having participated in the OPP issued by the LTSA for Indonesian Migrant Workers or the Office.
- (3) In the event that the Prospective Indonesian Migrant Workers from the Region will return to work in the same destination countries and already has a certificate of participating in the OPP, he/she is not obligated to participate in the OPP provided that it is not more than

2 (two) years since the repatriation of the Indonesian Migrant Worker concerned to Indonesia.

Part Four

After Working Protection

Article 19

- (1) After Working Protection is provided through:
 - a. facilitation of the repatriation until their hometowns.
 - b. facilitation of the resolution of problems of Indonesian Migrant Workers from the Region in the event of:
 1. passes away;
 2. illness and disability;
 3. accident;
 4. physical or sexual violence;
 5. loss of reason;
 6. fraud; and
 7. termination of employment and other rights not yet received by Indonesian Migrant Workers
 - c. social and economic empowerment of retired Indonesian Migrant Workers from the Region and their Families.
- (2) The operational standards and procedures in the implementation of protection after work as referred to in section (1) are determined by the Regent.
- (3) The Protection after work as referred to in section (1) is carried out in coordination with the Central Government and BP2MI.

Part Five

Repatriation

Article 20

- (1) The repatriation of Indonesian Migrant Workers from the Region can occur if:

- a. the end of the employment contracts;
 - b. leave;
 - c. termination of employment before the end of the employment contracts;
 - d. experiencing an employment injury and/or illness resulting in inability to perform their works;
 - e. experiencing abuse or other acts of violence;
 - f. war, natural disaster, or disease outbreak in the destination countries;
 - g. deported by the government of the destination countries;
 - h. passes away in the destination countries; and/or
 - i. other reasons that cause losses to Indonesian Migrant Workers.
- (2) In the event that Indonesian Migrant Workers from the Region experiences employment injuries and/or illness resulting in inability to perform their works referred to in section (1) point d, P3MI is obligated to:
- a. notify the family of the employment injury and/or illness resulting in inability to perform their work not later than 3 (three) times 24 (twenty-four) hours from the time the accident and/or illness is discovered;
 - b. seek information about the causes of the employment injury and/or illness resulting in inability to perform their work and notify the officials of Indonesian Missions and the family members of the Indonesian Migrant Worker concerned;
 - c. repatriate the Indonesian Migrant Workers from the Region to their place of origin in a proper manner and bear all necessary costs; and
 - d. take care of the fulfilment of all rights, namely insurance rights, unpaid salaries, and other rights that should be received by Indonesian Migrant Workers.
- (3) In carrying out the obligations as referred to in section (2), P3MI coordinates with the Office.

- (4) In the event that Indonesian Migrant Workers from the Region passes away in the destination countries of placement as referred to in section (1) point h, P3MI is obligated to:
 - a. notify the death of the Indonesian Migrant Workers from the Region to their family not later than 3 (three) times 24 (twenty four) hours from the time the death is discovered;
 - b. seek information about the cause of death and notify the officials of the Indonesian Missions and the family members of the Indonesian Migrant Worker concerned;
 - c. repatriate the body of the Indonesian Migrant Workers from the Region to the place of origin in a proper manner and bear all necessary costs, including burial costs in accordance with the religious procedures of the Indonesian Migrant Worker concerned;
 - d. take care of the burial in the destination countries the Indonesian Migrant Workers from the Region placement with the approval of the family of the Regional Indonesian Migrant Worker or in accordance with the provisions in force in the countries concerned;
 - e. provide protection for all belongings owned by the Indonesian Migrant Workers from the Region for the benefit of their families; and
 - f. manage the fulfilment of all rights of Indonesian Migrant Workers from the Region that shall be received.
- (5) In the event that Indonesian Migrant Workers from the Region placed by P3MI passes away, the repatriation of the body becomes the obligation of P3MI.
- (6) The repatriation of the body as referred to in section (5) is carried out in coordination with the Indonesian Missions, the Central Government and BP2MI.

Article 21

The repatriation of Indonesian Migrant Workers from the Region, in the event of war, natural disaster, disease outbreak, deportation and problematic Indonesian Migrant Workers from the Region as referred to in Article 20 section (1) is carried out in accordance with the provisions of legislation.

Part Six

Social and Economic Protection

Article 22

- (1) The Local Government in accordance with its authority carries out social protection for Prospective Indonesian Migrant Workers from the Region and/or Indonesian Migrant Workers from the Region through:
 - a. improving the quality of education and job training through standardization of work competencies;
 - b. increasing the role of accreditation institutions and certification institutions;
 - c. providing competent educators and job training or instructors in their fields;
 - d. organizing Social Security;
 - e. social reintegration through skills improvement services, both for Indonesian Migrant Workers from the Region and their Families;
 - f. protection policies for women and children; and
 - g. provision of Indonesian Migrant Workers from the Region Protection centres in the destination countries.
- (2) Further provisions regarding social protection for Prospective Indonesian Migrant Workers from the Region and/or Indonesian Migrant Workers from the Region as referred to in section (1) are regulated in a Regent Regulation.

Article 23

- (1) The Local Government, in accordance with its authority, carries out economic protection for Prospective Indonesian Migrant Workers from the Region and/or Indonesian Migrant Workers from the Region through:
 - a. management of remittance by involving banking institutions and non-banking financial institutions in the countries and in destination countries;
 - b. financial education so that Indonesian Migrant Workers from the Region and their Families can manage their remittances; and
 - c. entrepreneurship education.
- (2) The implementation of economic protection as referred to in section (1) may be carried out through inclusive financial policies in accordance with the provisions of legislation.
- (3) Further provisions regarding economic protection as referred to in section (1) are regulated in a Regent Regulation

Article 24

In implementing social and economic protection, the Local Government may cooperate with financial institutions, the business world, the community, and international organizations in accordance with the provisions of legislation

CHAPTER IV

INDIVIDUAL INDONESIAN MIGRANT WORKERS

Article 25

Individual Indonesian Migrant Workers who will work in the destination countries must meet the following requirements;

- a. have been accepted to work for a legal entity Employer;
- b. work for a legal entity Employer; and
- c. are not employed in the lowest position in each sector.

Article 26

- (1) Individual Indonesian Migrant Workers must register with the LTSA for Indonesian Migrant Workers.
- (2) The registration as referred to in section (1) is accompanied by individual Indonesian Migrant Worker placement documents which include:
 - a. certificate of marital status, for those who are married, attach a photocopy of the marriage certificate;
 - b. letter of permission from husband or wife, permission from parents, or permission from guardians acknowledged by the village head or sub-district head or other title;
 - c. certificate of work competency;
 - d. health certificate;
 - e. national health insurance membership card;
 - f. copy of job invitation letter from legal entity Employer;
 - g. profile of legal entity Employer;
 - h. Employment Contract;
 - i. proof of participation in Social Security for Employment;
 - j. Work Visa; and
 - k. statement of responsibility for all employment risks experienced.
- (3) The registration services as referred to in section (1) and section (2) are carried out in an integrated manner through the Employment Information System and are free of charge.

Article 27

Individual Indonesian Migrant Workers as referred to in Article 25 report arrival in the destination countries online to the Labour Attaché or an official appointed by the Head of the Indonesian Missions.

Article 28

Individual Indonesian Migrant Workers and/or their families are responsible for the repatriation of individual Indonesian Migrant Workers from the destination countries to hometowns.

Article 29

All employment risks experienced by Individual Indonesian Migrant Workers are their own responsibility.

Article 30

Migrant Trading Vessel Crews and Migrant Fishing Vessel Crews who work individually must report:

- a. departure plans online or offline to the Indonesian Migrant Workers Office or LTSA, by attaching:
 1. passport;
 2. Seafarer's Book;
 3. PKL;
 4. proof of participation in the Social Security program;
 5. health certificate based on health and psychological examination;
 6. Work Visa;
 7. sailor's identity document; and
 8. work competency certificate, sailor's expertise certificate, and/or sailor's skills certificate
- b. Arrival at the Indonesian Missions online through the Portal Peduli Warga Negara Indonesia or offline.

Article 31

- (1) Every prospective migrant trading vessel crew who meets the requirements as referred to in Article 30 must register with the Office or LTSA for Indonesian Migrant Workers or online and offline.
- (2) Every prospective migrant fishing vessel crews who meets the requirements as referred to in Article 30 must register with the Indonesian Migrant Workers Office or LTSA online and offline.

- (3) If necessary, the repatriation of migrant trading vessel crews and migrant fishing vessel crews as referred to in section (1) and section (2), the Government, Local Government, and P3MI together carry out the repatriation to the Region of origin.

CHAPTER V OBLIGATIONS AND PROHIBITIONS

Part One Obligations

Article 32

- (1) P3MI is obligated to recruit and place Prospective Indonesian Migrant Workers from the Region who meet the requirements as referred to in Article 6 section (1), section (2) and section (3).
- (2) P3MI is obligated to place Prospective Indonesian Migrant Workers from the Region according to the position and type of work listed in the placement agreement.
- (3) P3MI who violate the provisions as referred to in section (1) and section (2) is subject to administrative sanctions.
- (4) The administrative sanctions as referred to in section (3) include:
 - a. written warning; or
 - b. temporary suspension of all or part business activities.
- (5) Further provisions regarding the procedures for granting administrative sanctions as referred to in section (4) are regulated in a Regent Regulation.

Part Two Prohibitions

Article 33

- (1) Individuals are prohibited from recruiting and placing Prospective Indonesian Migrant Workers from the Region abroad.
- (2) P3MI is prohibited from collecting placement fees that are not in accordance with the provisions of legislation.
- (3) P3MI is prohibited from recruiting Prospective Indonesian Migrant Workers from the Region before having a SIP2MI from BP2MI.
- (4) P3MI is prohibited from recruiting Prospective Indonesian Migrant Workers from the Region, in the event that the SIP2MI has been revoked.

Article 34

Every person is prohibited from providing incorrect data and information in filling out each document as referred to in Article 6 section (1), section (2) and section (3).

Article 35

- (1) Every Official is prohibited from sending Indonesian Migrant Workers from the Region who do not meet the completeness of the document requirements as referred to in Article 6 section (3).
- (2) Every official is prohibited from withholding the departure of Indonesian Migrant Workers from the Region who have met the completeness of the document requirements as referred to in Article 6 section (3).

CHAPTER VI

DISPUTES RESOLUTION

Article 36

- (1) In the event of a dispute between Indonesian Migrant Workers from the Region and P3MI/P3MI Branches regarding the Implementation of the Placement Agreement, both parties attempt a peaceful resolution through deliberation.

- (2) In the event that a peaceful resolution and deliberation are not achieved, one or both parties may request assistance in resolving the problem from the Office.
- (3) In the event that a dispute resolution as referred to in section (2) is not achieved, one or both parties may file a claim and/or lawsuit through the courts in accordance with the provisions of legislation.

CHAPTER VII

LTSA FOR INDONESIAN MIGRANT WORKERS

Article 37

- (1) The establishment of the LTSA for Indonesian Migrant Worker is carried out to improve effective, efficient, transparent, fast, and having quality services without discrimination organized in a coordinated and integrated manner.
- (2) The establishment of the LTSA for Indonesian Migrant Worker as referred to in section (1) is the responsibility of the Regent.
- (3) In implementing LTSA for Indonesian Migrant Worker, the Regent has the following duties and responsibilities:
 - a. facilitating the information technology-based service system for the Placement and Protection of Indonesian Migrant Workers from Region;
 - b. allocating the operational budget for the Indonesian Migrant Worker LTSA in accordance with their authority;
 - c. ensuring the implementation of services for Prospective Indonesian Migrant Workers from Region by assigning relevant regional apparatus personnel; and
 - d. controlling the implementation LTSA for the Indonesian Migrant Worker.
- (4) The establishment of LTSA for Indonesian Migrant Worker as referred to in section (1) is carried out based on the following criteria:

- a. base area for Indonesian Migrant Workers from the Region;
- b. crossing area for Indonesian Migrant Workers from the Region; and/or
- c. other criteria in accordance with the provisions of legislation.

Article 38

- (1) The Head of the Office *ex officio* acts as the person in charge of the LTSA for Indonesian Migrant Workers.
- (2) The person in charge as referred to in section (1) is has duties of:
 - a. coordinating and controlling the implementation of the Indonesian Migrant Workers LTSA;
 - b. determining the technical implementer of the implementation of the Indonesian Migrant Workers LTSA based on proposals from agencies originating from elements that carry out the functions as referred to in Article 37;
 - c. ensuring the quality of services for the Placement and Protection of Indonesian Migrant Workers from the Region in accordance with the provisions of legislation;
 - d. reporting on the implementation of the LTSA for Indonesian Migrant Workers to the Minister through the Regent.
- (3) The person in charge as referred to in section (1) is responsible to the Regent.
- (4) Membership of the LTSA for Indonesian Migrant Workers consists of elements that carry out functions in the fields of:
 - a. Manpower;
 - b. population administration;
 - c. health;
 - d. immigration;
 - e. police;
 - f. psychology;
 - g. banking; and

- h. Social Security
- (5) The LTSA for Indonesian Migrant Workers as referred to in section (1) consists of the following desks:
- a. manpower;
 - b. complaints and information;
 - c. citizenship and civil registration;
 - d. health;
 - e. immigration;
 - f. police;
 - g. banking; and
 - h. Social Security.
- (6) The LTSA as referred to in section (1) is organized to bring the Placement and Protection of Indonesian Migrant Workers closer, in the form of:
- a. labour market information;
 - b. procedures for the Placement and Protection of Indonesian Migrant Workers from the Region;
 - c. counselling and job guidance;
 - d. information to obtain education and job training;
 - e. information on the implementation of the Placement of Indonesian Migrant Workers from the Region;
 - f. job seeker registration services;
 - g. document verification of placement agreement, Employment Contract, and Work Visa;
 - h. verification of population data;
 - i. information and access to health examination facilities;
 - j. information on passport issuance;
 - k. information on the issuance of Police Record Certificates;
 - l. banking information and services; and
 - m. information on Social Security membership services.
- (7) In addition to the service functions as referred to in section (2), the LTSA for Indonesian Migrant Workers can function as:
- a. OPP organizer;

- b. consultation place;
 - c. mediation;
 - d. advocacy; and
 - e. legal assistance for problems of Prospective Indonesian Migrant Workers from the Region and/or Indonesian Migrant Workers from the Region and/or their Families.
- (8) Facilitation of the Placement and Protection service system for Indonesian Migrant Workers from the Region as referred to in section (6) and section (7) is carried out in coordination with related agencies at the centre and in the Region in accordance with the provisions of legislation.
- (9) Implementation of the LTSA is carried out through an integrated online system between the Central Government and Local Governments.

CHAPTER VIII

DUTIES AND RESPONSIBILITIES OF LOCAL GOVERNMENT

Article 39

- (1) Local Government has the following duties and responsibilities to:
- a. disseminate information and demand for Indonesian Migrant Workers from the Region to the public;
 - b. establish a database of Indonesian Migrant Workers from the Region;
 - c. report the results of the evaluation of P3MI in stages to the Government of the Province of Central Java ;
 - d. organize the repatriation of Indonesian Migrant Workers in the event of war, natural disaster, epidemic, deportation, and problematic Indonesian Migrant Workers according to their authority;
 - e. providing Protection for Indonesian Migrant Workers from the Region before working and after

working in the Region that is its duty and authority;

- f. manage education and job training for Prospective Indonesian Migrant Workers of the Region which can be done in cooperation with accredited educational institutions and job training institutions owned by government and/or private institutions;
 - g. conduct development and supervision of educational institutions and job training institutions in the Region;
 - h. carrying out social and economic reintegration for Indonesian Migrant Workers from the Region and their Families;
 - i. provide/facilitate training for Prospective Indonesian Migrant Workers from the Region through vocational training whose budget comes from the education function;
 - j. regulate, develop, manage, and supervise the implementation of the Placement of Indonesian Migrant Workers from the Region; and
 - k. can form LTSA for Indonesian Migrant Workers in the Region.
- (2) Further provisions regarding the implementation of the duties and responsibilities of the Local Government as referred to in section (1) are regulated in a Regent Regulation.

CHAPTER IX

VILLAGE GOVERNMENT DUTIES

Article 40

- (1) The Village Government has duties to:
- a. receive and provide information and job demand from institution that manage government affairs in the field of manpower;

- b. conduct a data verification and record the data of Prospective Indonesian Migrant Workers from the Region;
 - c. facilitate the fulfilment of citizenship administrative requirements Prospective Indonesian Migrant Workers in the Region;
 - d. supervise the departure and repatriation of Indonesian Migrant Workers from the Region; and
 - e. empower Prospective Indonesian Migrant Workers from the Region, Indonesian Migrant Workers from the Region, and their Family Members
- (2) Further provisions regarding the implementation of the duties of the Village Government as referred to in section (1) are regulated in a Regent Regulation

Article 41

- (1) The Village Government in receiving and providing information on job requests as referred to in Article 40 section (1) point a cooperates with the Office.
- (2) The Office as referred to in section (1) appoints a Job Placement Officers to assist in providing job demand information.
- (3) Job demand information can be done online or offline.

Article 42

- (1) Data Verification and recording of Prospective Indonesian Migrant Workers from the Region as referred to in Article 40 section (1) point b, are carried out for each Prospective Indonesian Migrant Worker from the Region in full according to population data.
- (2) The results of data verification and recording of Prospective Indonesian Migrant Workers from the Region as referred to in section (1) are reported to the Office.

Article 43

- (1) Facilitation of fulfilment of population administration requirements for Prospective Indonesian Migrant Workers from the Region as referred to in Article 40

section (1) point c, is carried out in accordance with the provisions of legislation.

- (2) The facilitation of fulfilment of population administration requirements as referred to in section (1), is carried out for Prospective Indonesian Migrant Workers from the Region who come from its territory.

Article 44

- (1) The Village Government in monitoring the departure and repatriation of Indonesian Migrant Workers from the Region as referred to in Article 40 section (1) point d cooperates with the Office.
- (2) The Office as referred to in section (1) through the Job Placement Officers facilitates the monitoring of the departure and repatriation of Indonesian Migrant Workers from the Region to ensure the protection of Indonesian Migrant Workers from the Region.
- (3) The results of the monitoring as referred to in section (1) is reported periodically to the Office.

Article 45

The Village Government empowers Prospective Indonesian Migrant Workers from the Region, Indonesian Migrant Workers from the Region, and their family members as referred to in Article 40 section (1) point e by prioritizing local wisdom and sustainable programs.

CHAPTER X

COOPERATION AND SYNERGY

Article 46

- (1) In order to optimize the Implementation of Protection of Indonesian Migrant Workers in the Region, the Local Government builds and develops cooperation and synergy in the Implementation of Protection of Indonesian Migrant Workers in the Region.
- (2) The cooperation and synergy as referred to in section (1) are in the forms of coordination, networking, and

partnerships between the Local Government and the Government, Provincial Government, Central Government, Regencies/Municipalities, community, and other parties.

- (3) The cooperation and synergy as referred to in section (1) are directed to:
 - a. implement protection of Indonesian migrant workers from the Region;
 - b. conduct studies and research in the context of Protection of Indonesian Migrant Workers; and
 - c. optimize the implementation of Protection of Indonesian Migrant Workers in the Region.
- (4) The implementation of cooperation and synergy as referred to in section (1) is carried out in accordance with the provisions of legislation.

CHAPTER XI DEVELOPMENT AND SUPERVISION

Part One Development

Article 47

- (1) The Regent through the Office develop to institutions related to the Placement and Protection of Indonesian Migrant Workers from the Region.
- (2) The development as referred to in section (1) is carried out in an integrated and coordinated manner.
- (3) Further provisions regarding the development as referred to in section (1) are regulated in a Regent Regulation.

Part Two Supervision

Article 48

- (1) The Regent supervises the implementation of the Placement and Protection of Indonesian Migrant Workers from the Region.
- (2) The Regent in carrying out the development as referred to in section (1) may involve the community.

Article 49

- (1) The supervision of the implementation of the Placement and Protection of Indonesian Migrant Workers from the Region as referred to in Article 48 section (1) is carried out for:
 - a. P3MI;
 - b. companies that place Indonesian Migrant Workers from the Region for the company's own interests;
 - c. institutions related to placement; and
 - d. placement of individual Indonesian Migrant Workers.
- (2) The supervision of the implementation of the Placement and Protection of Indonesian Migrant Workers from the Region as referred to in section (1) is carried out in accordance with the authority of the Region.

Article 50

- (1) In the event that the results of the supervision find P3MI in the Region that cooperates with Employers in the form of legal entities and/or Business Partners that are included in the problematic list, the Office reports the results to BP2MI.
- (2) Further provisions regarding supervision as referred to in section (1) are regulated in a Regent Regulation

CHAPTER XII

FUNDING

Article 51

Funding for the protection of Indonesian Migrant Workers from the Region comes from:

- a. Local budget; and
- b. other legitimate and non-binding sources in accordance with the provisions of the Legislation.

CHAPTER XIII INVESTIGATION PROVISIONS

Article 52

- (1) Civil Servant Investigators within the Local Government have authority to conduct investigations into violations of Regional Regulations.
- (2) In conducting investigations, Civil Servant Investigators are given the authority to:
 - a. conduct examinations of the truth of reports and/or information regarding violations of this Regional Regulation;
 - b. conduct examinations of people suspected of committing violations;
 - c. request information and/or evidence related to violations;
 - d. conduct examination of letters and/or other documents related to violations;
 - e. confiscate goods and/or letters related to violations;
 - f. request and/or listen to expert testimony in order to support the implementation of investigative duties regarding alleged violations; and/or
 - g. stop the investigation process if there is insufficient evidence regarding the violation.
- (3) In carrying out investigations, Civil Servant Investigators are obligated to provide notification and submit the results of the investigation to the public prosecutor at the local District Attorney's Office through the Indonesian National Police Investigator.

CHAPTER XIV CRIMINAL PROVISIONS

Article 53

Any person who violates the provisions as referred to in Article 33, Article 34 and Article 35 is subject to criminal sanctions in accordance with the provisions of legislation.

CHAPTER XV

MISCHELLANEOUS PROVISIONS

Article 54

The Office reports the results of handling complaints and handling cases of Prospective Indonesian Migrant Workers from the Region and/or Indonesian Migrant Workers from the Region in accordance with its authority to the Regent.

CHAPTER XVI

CLOSING PROVISION

Article 55

The Regent Regulation as the implementing regulation of this Regional Regulation must be issued not later than 6 (six) months as of the date of the promulgation.

Article 56

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

In order that every person may know hereof, it is ordered to promulgate this Regional Regulation by its placement in the Regional Gazette of the Regency of Demak.

Issued in Demak
on 05 Desember 2024
REGENT OF DEMAK,

signed

EISTI'ANAH

Promulgated in Demak
on 5 December 2024
REGIONAL SECRETARY OF THE REGENCY OF DEMAK,

signed

AKHMAD SUGIHARTO

REGIONAL GAZETTE OF THE REGENCY OF DEMAK OF 2024 NUMBER 14

Jakarta, 27 May 2025

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,



ELIATIANA PUTRA

ELUCIDATON
OF
REGULATION OF THE REGENCY OF DEMAK
NUMBER 14 OF 2024
ON
IMPLEMENTATION OF PROTECTION OF INDONESIAN MIGRANT WORKERS

I. GENERAL

As an implementation of the 1945 Constitution of the Republic of Indonesia, the State guarantees the rights of its citizens to find work and a decent life in a humane manner, as stated in Article 27 section (2). This reflects the state's commitment to ensuring that every citizen has access to work, both within and outside the territory of the Republic of Indonesia, in order to enjoy a decent life according to humanitarian norms.

In an effort to guarantee the fulfilment of the right to work and a decent living for all its citizens, Law Number 18 of 2017 on Protection of Indonesian Migrant Workers has been issued along with Government Regulation Number 59 of 2021 on Implementation of Protection of Indonesian Migrant Workers. This regulation brings important changes to the regulations related to the Placement and Protection of Indonesian Migrant Workers which ultimately provides an opportunity for the presence of the Demak Regency Government to participate in the Protection of Indonesian Migrant Workers from the Regency of Demak. This is what was ultimately welcomed by the Government of the Regency of Demak through the regulation of the Protection of Indonesian Migrant Workers from Demak Regency with the following content:

- a. Indonesian Migrant Workers from the Region;
- b. protection of Indonesian Migrant Workers from the Region;
- c. individual Indonesian Migrant Workers;
- d. obligations and prohibitions;
 - a. dispute resolution;
 - b. LTSA for Indonesian Migrant Workers;
 - c. duties and responsibilities of the Local Government;

- h. duties of the Village Government;
- i. authority of the Region over SIP2MI;
- j. development and supervision; and
- k. funding;

As a continuous step of the regulation of Protection of Indonesian Migrant Workers originating from the Regency of Demak, it is important to formulate regulations in the Region that are equipped with stakeholder commitments in the Protection of Indonesian Migrant Workers originating from the Regency of Demak. This aims to strengthen the protection of Indonesian Migrant Workers and their families.

I. ARTICLE BY ARTICLE

Article 1

Sufficiently clear

Article 2

Sufficiently clear

Article 3

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Article 4

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REGIONAL GAZETTE OF THE REGENCY OF DEMAK OF 2024 NUMBER 14