

NEWSLETTER

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NEW PRESIDENTIAL REGULATIONS ON THE USE OF THE INDONESIAN LANGUAGE IN A WIDE RANGE OF ACTIVITIES

For a decade, the Law No. 24 of 2009 on National Flag, Language, Emblem and Anthem (“**Law No. 24/2009**”) requires both foreign and local business actors to use Indonesian language for transactions and commercial documents that involve the Indonesian party. The provision of the use Indonesian language is reinforced by the issuance of the Presidential Regulation No. 63 of 2019 on the Use of the Indonesian Language (“**Regulation No. 63/2019**”) on the 30th of September 2019. The Regulation No. 63/2013 repeals and replaces the Presidential Regulation No. 16 of 2010 on the Use of the Indonesian Language in the Official Speech of the President and/or Vice President as well as other States Official.

The mandatory use of the Indonesian language shall be implemented in the following circumstances:

- a. In the statutory laws and regulations.
- b. In the state official documents, such as decrees, securities, education certificates, statement letters, identity cards, sale and purchase deeds, agreements and court decisions. The state official documents that apply internationally can be accompanied with the foreign language without limiting the authenticity of such state official documents, and in case of discrepancy the Indonesian language shall prevail.
- c. Official speeches of the President, Vice President and other States Official both inside and outside of Indonesia. Specifically for the official speeches of the President and/or Vice President in overseas can be accompanied or assisted by an interpreter.
- d. For the language of instruction in national education at all levels of education, ranging from kindergarten to universities. Specifically for international education institutions or special education units, it is obligated to use the Indonesian language as the language of instruction in the Indonesian language subject, religion subject and civic education subject.
- e. By state officials to provide the public services as for the communication, public services standards, notice of services and service information system.
- f. In a memorandum of understanding or an agreement that involves the Indonesian party whether it is a state institution, a government institution, an Indonesian private entity or citizen. In the event that the agreement/memorandum of understanding is involving the foreign party, the national language of such foreign party and/or English language shall be included for mutual understanding purposes. Further, the Regulation No. 63/2019 gives leeway for Indonesian parties and foreign parties in deciding the prevailing language if the inconsistency occurs which shall be stated in the agreement/memorandum of understanding in the first place.

- g. In the international or national forums in Indonesia, the foreign party may use a foreign language and the operator shall provide the translation of Indonesian language of such foreign language.
- h. In the official communication, both verbally and/or written, within the government and private work environments as well as any reports from institutions or individuals to the government.
- i. In writing scientific works and in the published scientific works in Indonesia.
- j. In naming geography, buildings, streets, apartments or houses, offices, trading complexes, trademarks, business institutions, education institutions, organization established or owned by an Indonesian citizen or Indonesian legal entity. The party is allowed to use names derived from the foreign language in the event that the name contains a historical, cultural and/or religious value.
- k. In the public signs, guides, public facilities, banners and other relevant information tools which constitute as general services.
- l. Information on the goods or services that are sold/provided in Indonesia which shall include the name of the goods, specification, ingredients and composition, use method, installation method, benefit or usability, side effect, size, weight or net weight, date of manufacture, expiry date, product effect and name and address of the business actors in Bahasa Indonesia.
- m. In the mass media either printed or electronic. However, for traditional and international public services, the information in the mass media can use local language or foreign language.

In addition, the central government and regional government will supervise the use of the Indonesian language under this Regulation No. 63/2019. Nevertheless, the Regulation No. 63/2019 remains silent to the sanctions of the non-compliance with the use of the Indonesian language as to in the Law No. 24/2009. The Regulation No. 63/2019 has been in effect since the day of its promulgation, i.e. 30th of September 2019.

If you have any queries or would like us to assist you with any aspects of compliance with Regulation No. 63/2019, please feel free to reach us via email at info@yangandco.com.