

NEWSLETTER

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PRACTICAL INFORMATION FOR LIMITED STAY PERMIT/"ITAS" AND PERMANENT STAY PERMIT/"ITAP" HOLDERS AS OF 2 APRIL 2020 UNTIL FURTHER NOTICE

On 2 April 2020, the Directorate General of Immigration has issued the Circular Letter No IMI-GR.01.01-2325 of 2020 Regarding the Temporary Ban for Foreigners to Enter into Indonesia ("**Immigration Circular Letter No. 2325/2020**"). The issuance of Immigration Circular Letter No. 2325/2020 is the implementation of the Ministry of Law and Human Rights Regulation No. 11 of 2020 Regarding the Temporary Ban for Foreigners to Enter into Indonesia ("**Permenkumham No. 11 of 2020**"). This Permenkumham No. 11 of 2020 was effective on 2 April 2020.

By the issuance of the Permenkumham No. 11 of 2020, we try to answer the following frequent questions:

1. Can ITAS and ITAP holders enter Indonesia?

Only the holders of valid ITAS or ITAP are allowed to enter into Indonesia. ITAS and ITAP holders may enter Indonesia with the following requirements:

- a. Health certificate in English language issued by the relevant health authorities from their respective countries (in practice, the maximum date of health certificate should be dated 7 days prior arrival at Indonesian Airport);
- b. Evidence have been staying for more than 14 (fourteen) days in areas or countries which are free from corona virus and considering the spread condition in each of areas; and
- c. The signed statement letter which is stated willing to be quarantined for 14 (fourteen) days by Indonesian government.

The Permenkumham No. 11 of 2020 does not clearly stipulate the type of quarantines and procedure of quarantine. However, if we look to Law No. 6 of 2008 regarding the Health Quarantine, there are several types of quarantines such as home quarantine and hospital quarantine. Therefore, we try to provide the definition of home quarantine and hospital quarantine as follows:

- a. Home quarantine: the limitation of the member of families and their goods in one home which is indicated that member of families and their goods have been infected or contaminated by disease to avoid the spread of disease; and
- b. Hospital quarantine: the limitation of a person in a hospital who is indicated that such person has been infected or contaminated by disease to avoid the spread of disease.

Therefore, the quarantine mentioned by the Permenkumham No. 11 of 2020 may refer to the above types of quarantines.

2. Can the holder of ITAS and ITAP renew their ITAS and ITAP?

Based on the Permenkumham No. 11 of 2020, all visa applications are temporary stopped including the application for renewal ITAS and ITAP. However, if ITAS or ITAP is expired while the holder is still in Indonesia, then the Directorate of Immigration will automatically issue the Emergency Stay Permit without the need to submit any application and free of charge. Further, no overstay will be charged. If the foreigners were leaving Indonesia for good, then they are not required to return the immigration documents as usually required. The Emergency Stay Permit will be valid as long as the foreigners are in Indonesia until the Covid-19 situation is terminated.

For ITAS and ITAP which are expired during this Covid-19 pandemic and the holders are abroad, then they cannot enter Indonesia and cannot proceed their renewal application yet. All visa application procedures will be back into normal when Covid-19 situation is ended.

We will keep you updated on this matter.

If you have any queries or would like us to assist you with any aspects related to this matter, please feel free to reach us by email through info@yangandco.com.

Note: this newsletter was updated on 8 April 2020 on 15.00 WIB (Jakarta Time).