

# NEWSLETTER

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## LOCATION PERMITS FOR FILMMAKING IN INDONESIA BY FOREIGN PARTIES

On 31 December 2018, the Ministry of Education and Culture (“**MOEC**”) issued the Regulation No. 48 of 2018 concerning Location Permits for Filmmaking in Indonesia by Foreign Parties (“**Regulation No. 48/2018**”). The Regulation No. 48/2018 requires all foreigners (whether individuals or legal entities) to have a location permit to make a film within Indonesia territory, as well as to obtain a temporary import license for bringing the filmmaking equipment into Indonesia.

Further, Regulation No. 48/2018 also requires that the location permit may be granted to the foreign parties having cooperation with Indonesian companies in filmmaking businesses which has obtained Film Industry Business Registry Certificates/*Tanda Daftar Usaha Perfilman* (“**TDUP**”) and has been registered in the film industry database.

In general, the following information and documents shall be submitted manually to the MOEC through the Embassy, Consulate General or Consulate of the Republic of Indonesia (“**Consular Office**”):

- a. company profile (if the applicant is in the form of a business entity);
- b. list of foreign filmmakers who are involved in the relevant project, including their positions and roles in the filmmaking process;
- c. curriculum vitae and copies of passport of all foreign filmmakers who are involved in the project;
- d. TDUP of the relevant local partners;
- e. filmmaking schedules;
- f. filmmaking locations and recording object(s);
- g. list of equipment;
- h. cooperation agreement; and
- i. an affidavit which stipulates that respect and compliance with local norms, cultures and regulations will be adhered to.

The head of the Consular Office will then forward the application to the Film Development Center (“**FDC**”), which is the unit in charge of the development of filmmaking in Indonesia under the Ministry of Foreign Affairs if the application has been declared “complete and

correct". Further, the FDC will carry out substantive verification and validation to the application in order to enable them to decide whether the location permits will be granted or rejected.

The location permits will be issued by the FDC within 7 (seven) business days after the documentation requirements are considered complete and correct. However, the applications may be rejected due to the following reasons:

- a. The submitted data is found to be false;
- b. The relevant filmmakers have been blacklisted; and/or
- c. The title and content of the relevant film may have a negative impact to Indonesia and/or be contrary to the cultural and legal values in Indonesia.

In addition, the location permits will merely be used to apply for the location and schedule as stated in the permit. Should change of location and schedule occur, the foreign parties shall notify to the FDC in writing by the latest of 7 (seven) business days prior to the commencement of filmmaking in any new location. The written notification shall be copied to the Consular Office overseas as well.

If you have any queries or would like us to assist you with any aspects of compliance with Regulation No. 48/2018, please feel free to contact our office.