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Indonesia Golden Visa Update ^{P1}

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On 22 August 2023, the Ministry of Law and Human Rights (MoLHR) issued Regulation of the Minister No. 22 of 2023 on Visas and Stay Permits ("Regulation 22/2023") in order to bring the applicable implementing regulation in line with Government Regulation Number 40 of 2023 (GR40/2023) on the Fourth Amendment to Regulation of the Government Number 31 of 2013 on Implementing Regulation of Law Number 6 of 2011 on Immigration.

This publication will discuss certain visa updates made by this regulation.

Regulation 22/2023 makes adjustments to various provisions relating to the issuance of visas and stay permits, among others but not limited to:

- Visit Visas remain classified into two main categories, namely Single-Entry and Multiple-Entry Visas. However, there are changes in the validity period and immigration guarantees, and the activities allowed under each category.
- Limited-Stay Visas remain classified into two main categories, namely activities in and not in the framework of work. However, there are changes regarding the detail of activities within both categories. In particular, the regulation includes a substantial update on visas by investment scheme.
- Golden Visas are defined as group of visas that includes the Limited-Stay Visas, Limited-Stay Permits, Permanent-Stay Permits and Re-Entry Permits with certain validity requirements such as minimum capital investment or that are issued to facilitate activities such as family reunification and repatriations or ownership of homes in Indonesia.
- National Passports that can be applied for in a visa application are now set as having at least 6 (six) months' validity, changing from previous regulations. In the event that the passport expires before the visa usage period expires, the visa data will be updated upon the holder's arrival by the Immigration Office after the Immigration Office has been presented with the expired National Passport.

Single-Entry Visit Visa

The Immigration Office has added five new activities under this visa: medical treatment, after-sales service, installation and repair of machines, fulfilling of summons in court proceedings and apprenticeships. Hence there is now a broader scope of activities for which a Visit Visa could be used.

Based on the place of approval, Single-Entry Visas are still categorised as the pre-arrival electronic visas, which are approved online and the Visas on Arrival.

Holders of Single-Entry Visas can stay in Indonesia for a maximum period of 60 days from the date the Entry Stamp is granted, except for cases where the holder will perform investment and apprenticeship activities, for which the visa could be granted for a maximum period of 180 days.

Applications for extensions of visas can be submitted at the earliest 14 days and at the latest one day before the expiration date.

Single-Entry Visas can be extended for a maximum period of 60 days per extension with an overall stay period of no more than 180 days. Certain activities have different maximum stay periods and extension periods:

- “Pre-investment” can be extended for a maximum period of 180 days per extension with an overall stay period of no more than 12 months.
- “Government duty” can be extended for a maximum period of 60 days per extension with an overall stay period of no more than 12 months.
- “Apprenticeship” can be extended for a maximum period of 180 days per extension with an overall stay period of no more than 12 months.
- “Prospective foreign worker-in a work ability trial” can be extended for a maximum period of 60 days per extension with an overall stay period of no more than 120 days.

Single-Entry Visas can be extended with summary as below:

Activities	Per extension	Maximum total stay
Pre-investment	180 days	12 months
Government duty	60 days	12 months
Apprenticeship	180 days	12 months
Prospective foreign worker-in a work probation	60 days	120 days
Other activities	60 days	180 days

Visa on Arrival (VoA)

A VoA holder can stay in Indonesia for a maximum period of 30 days from arrival and the visa can be extended for a maximum period of 30 days per extension with an overall stay period of no more than 60 days.

In certain situations, a VoA holder can stay in Indonesia for a maximum period of seven days without the possibility of extension.

Multiple-Entry Visit Visa

Multiple-Entry Visit Visas get a lot of updates under this regulation. For instance, there are seven new activities included as activities for which Multiple-Entry Visit Visas can be used.

Previously, the validity period of this type of visa was strictly 12 months without extension. Now, there are three validity periods that can be chosen

by the applicant: one, three or five years. Additionally, a ten-year visa validity is now available, with the condition that the applicant must have entered Indonesia in the last three years by using a five-year validity visa.

Applications for extensions of visas can be submitted at the earliest 14 days and at the latest one day before the expiration date.

Multiple-Entry Visit Visas can be extended for a maximum period of 60 days per extension with an overall stay period of no more than 180 days. For certain activities they will have different maximum periods of stay and extension periods:

- “Pre-investment” can be extended for a maximum period of 180 days per extension with an overall stay period of no more than 12 months.
- “Government duty” can be extended for a maximum period of 60 days per extension with an overall stay period of no more than 12 months.

Multiple-Entry Visit Visas can be extended with summary as below:

Activities	Per extension	Maximum total stay
Pre-investment	180 days	12 months
Government duty	60 days	12 months
Other activities	60 days	180 days

Limited-Stay Visa

The Immigration Office has restructured the sub-activities included in the work category and non-work category. The previous regulation clearly separated the two categories, but the Immigration Office has now merged all activities allowable under Limited Stay Visas into one provision without clearly segregating work and non-work categories.

Activities such as but not limited to “carrying out activities related to the profession for receiving payment”, “making films” and “installing and repairing machines” were included in the work category. Meanwhile, in the new regulation these activities have now been removed and replaced with “activities as workers”.

The validity period of Limited-Stay Visas to be used to enter Indonesia remains at 90 days.

“Foreign investment activities” involving foreign nationals are grouped into three categories based on the maximum length of stay of one, two, five and ten years.

The two-years maximum stays must meet the investment requirement of proof of share ownership of at least IDR10bn or equivalent as stated in the data of the Investment Coordinating Board.

The five- and ten-year maximum stays are further classified into three other subcategories:

- Foreign nationals as individual investors who intend to establish a company in Indonesia must have an investment of USD2.5m for a maximum length of stay of five years or USD5m for a maximum length of stay of ten years, in the form of issued capital (shares) or a minimum investment.
- Foreign nationals as individual investors who do not intend to establish a company in Indonesia must have an investment of USD350,000 for maximum length of stay of five years or USD700,000 for a maximum length of stay of ten years. The investment can be in the form of one of the following: Indonesian

government bonds, shares of a publicly listed company in Indonesia, or mutual funds from a publicly listed company in Indonesia.

- Foreign nationals who will serve as a member of a board of directors or a member of a board of commissioners of a company to be established in Indonesia that is a branch or subsidiary of a company outside Indonesian territory must have an investment of USD25m for a maximum length of stay of five years or USD50m for a maximum length of stay of ten years. For the ten-year stay period only, the Immigration Office provides additional alternative forms of investment, namely ownership of multi-story housings or apartments with a minimum value of USD1m.

Further under this category, the Immigration Office sets additional requirements such as but not limited to a financial audit report of the parent company from an international standard public accounting firm, proof of share ownership in a company outside Indonesia of a certain amount and proof of a certain turnover/sales value in a company abroad. These requirements apply differently based on the length of stay category and its three subcategories.

“Repatriation” involving foreign nationals who were former Indonesia citizens or who are descendants of former Indonesian citizens up to the second degree are grouped into several categories based on the maximum length of stay:

- Former Indonesian citizens who will stay for a maximum period of two years do not require any investment.
- Former Indonesian citizens who will stay without a sponsor must satisfy an investment requirement of USD15,000 for a maximum length of stay of one year or USD35,000 for a maximum length of stay of five years. The investment can be in the form of one of the following: Indonesian government bonds, shares of a publicly listed company in Indonesia or mutual funds from a publicly listed company in Indonesia.
- Foreign nationals who are descendants of former Indonesian citizens up to the second degree who will stay without a sponsor must satisfy an investment requirement of USD 50,000 for a maximum length of stay of five years or USD100,000 for a maximum length of stay of ten years. The investment can be in the form of one of the following: Indonesian government bonds, shares of a publicly listed company in Indonesia or mutual funds from a publicly listed company in Indonesia.

For “activities under second home” the Immigration Office has now added five sub-categories as below:

- Foreign nationals who want to have a “second home” must meet an investment requirement of USD130,000 or equivalent in the form of deposit funds in an account in their own name at a state-owned bank or in the form of the ownership of multi-story housings or apartments in Indonesia with a minimum value of USD1m or equivalent for maximum length of stay of five years.
- Foreign nationals who have “special expertise” are not required to make any investment but require an invitation or a statement from the central government. Otherwise, the foreign national who will stay without a sponsor must submit proof of cooperation with the government or state institutions. Additionally, under this category the foreign national is required to submit proof showing the special expertise i.e. a certificate in the field of special expertise required by the state or proof of graduation from one of the world's 100 best universities in the last three years with a grade point average of at least 3.5 or equivalent for a maximum length of stay of five or ten years.
- Foreign nationals who are “world leaders” and who have an invitation or a statement from a central government agency are not required to make any investment. Those who will stay without a sponsor must establish a company in Indonesia with a minimum investment in the form of issued

capital of USD25,000 for a maximum length of stay of five years or USD50,000 for a maximum length of stay of ten years.

- “Elderly” foreign nationals aged at least 60 years old can submit visa applications by themselves or have their application submitted by a sponsor with proof of earnings or allowance with a value of USD3,000 per month for a maximum length of stay of one year. Those who will stay without a sponsor for a maximum length of stay of five years, will need to submit the same proof of earning and must meet an investment requirement in the form of proof of a bank deposit with minimum funds of USD50,000 or equivalent under their own name at a state-owned bank.
- Foreign nationals who are bound by an employment relationship with a company outside Indonesian territory but who would like to reside in Indonesia can apply for the “Remote Worker” visa by providing proof of earnings in the form of salary or earnings of at least USD60,000 per annum and proof of an employment contract with an incorporated company outside Indonesian territory, for a maximum length of stay of one year.

The investment requirement above shall be provided in the form of a statement of commitment during the application stage and must be fulfilled within a maximum period of 90 days from the date of entry to Indonesia and the Limited Stay Permit being granted.

Aside from the above, the Immigration Office has also added two new activities, namely “undergoing treatment” and “ease of doing work while on vacation” as activities allowed under the Limited-Stay Visa.

Applications for extensions of Limited-Stay Permits can be submitted under the following conditions:

- a. Applications for one-year Limited-Stay Permit extensions can be submitted at the earliest 30 days and at the latest one day before the expiration date.
- b. Applications for Limited Stay Permit extensions of more than one year can be submitted at the earliest three months and at the latest one day before the expiration date.

Limited-Stay Permits of one-to-five years’ validity can be extended with the same period of the previous permit and with an overall stay period of no more than six years. Limited Stay Permits with validity periods of five years and above can be extended with the same period of the previous permit and with an overall stay period of no more than ten years.

Limited Stay Permits of 180 days’ validity for working can be extended with the same period of the previous permit and with an overall stay period of no more than three years.



Summary of Investment scheme

Intention to stay	Maximum total stay	Minimum Investment requirement	Proof of investment
Individual investor intending to establish a company in Indonesia.	Five years	USD2.5m	Issued capital shares or investment value.
	Ten years	USD5m	
Individual investor who does not intend to establish a company in Indonesia.	Five Years	USD350,000	The investment can be in the form of one of the following: Indonesian government bonds, shares of a publicly listed company in Indonesia, or mutual funds from a publicly listed company in Indonesia.
	Ten years	USD700,000	
Individual who will serve as a member of a board of directors or commissioners of a company to be established in Indonesia which is a branch or subsidiary of a foreign company.	Five Years	USD25m	Proof of share ownership in the Indonesian company and stated in the data of the Investment Coordinating Board.
	Ten years	USD50m	Additional alternative forms of investment, ownership of multi-story housings or apartments with a minimum value of USD 1 million.
Former Indonesian citizens who will stay without a sponsor.	One year	USD15,000	Indonesian government bonds, shares of a publicly listed company in Indonesia, or mutual funds from a publicly listed company in Indonesia.
	Five years	USD35,000	
Foreign nationals who are descendants of former Indonesian citizens up to the second degree who will stay without a sponsor.	Five years	USD50,000	Issued capital shares or investment value.
	Ten years	USD 100,000	
Second home	Five years	USD130,000 or equivalent	In the form of deposit funds in an account in their own name at a state-owned bank. OR
		USD1m or equivalent	In the form of the ownership of multi-story housings or apartments in Indonesia.
World leaders who will stay without a sponsor	Five years	USD25,000	Must establish a company in Indonesia with a minimum investment in the form of issued.
	Ten years	USD50,000	
Elderly who will stay without a sponsor	Five years	USD50,000 or equivalent	Need to submit the same proof of earning and must meet an investment requirement in the form of proof of a bank deposit under their own name at a state-owned bank.

Further regulation

To implement Regulation 22/2023, the MoLHR issued following regulations, among others but not limited to:

- a. Decree of the Director General of Immigration Number IMI-0257.GR.01.01 of 2023 concerning the Amount of Share Ownership and Turnover/Sales Value in Companies Outside the Territory of Indonesia for Individual Foreign Investors;

- b. Decree of the Director General of Immigration Number IMI-0258.GR.01.01 of 2023 concerning the List of International Public Accounting Firms;
- c. Decree of the Director General of Immigration Number IMI-0260.GR.01.01 of 2023 concerning Stay Permit Service Product Documents and Stay Permit Requirements
- d. Decree of The Director General of Immigration Number IMI-0262.GR.01.01 of 2023 concerning Amount Of Living Cost During The Stay In The Indonesian Territory As A Requirement For The Application For Visit Visa And Limited Stay Visa
- e. Decree of The Director General of Immigration Number IMI-0259.GR.01.01 of 2023 concerning List of 100 (one hundred) World's Best Universities in the Last 3 (three) Years and Fields of Expertise Required by the Government

What we can do

Business expansion into new markets including Indonesia requires the right workforce including foreign talents who can be key to support achievement of business targets and plans. To create a sustainable workforce, international employment requires careful planning and management, and this is where companies require a dedicated team of experts to come into play.

You can connect with us for integrated, holistic advice and an end-to-end workforce planning and compliance including expatriate tax, visa and work permit requirements, payroll and employment legislation which includes:

- Global mobility planning and compliances
- Employment law and immigration law advice
- Employment contracts and policies
- Visa, work permit and employment permits applications
- Expatriate tax planning and compliances
- Compliance review and reports
- Redundancy and reorganisation plans

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