



Ministry of
Manpower and
Transmigration



International
Labour
Organization

Laws and Regulations on Labour Inspection in Indonesia



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Transmigration



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Organization

The background of the title section is a grayscale photograph showing a close-up of a hand holding a pen, poised to write on a document. The lighting is dramatic, highlighting the texture of the paper and the grip of the hand.

Laws and Regulations on Labour Inspection in Indonesia

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Act No. 21 of 2003

**Concerning
The Ratification of ILO Convention
No. 81 Concerning Labour Inspection
in Industry and Commerce**

Act No. 21 of 2003

Concerning The Ratification of ILO Convention No. 81 Concerning Labour Inspection in Industry and Commerce

WITH THE BLESSING OF GOD
THE PRESIDENT OF THE REPUBLIC OF INDONESIA

Considering:

- a. that one of the efforts to create harmonious and fair industrial relations and to guarantee the enforcement of the law and workers' protection, an inspection to the implementation of laws and regulations is necessary;
- b. that the provisions in ILO Convention No. 81 can guarantee the implementation of labour inspection in Indonesia in line with the international standard;
- c. that the 30th International Labour Conference on 11 July 1947 in Geneva, Switzerland, has agreed ILO Convention No. 81 Concerning Labour Inspection in Industry and Commerce;
- d. that based on the considerations in letters a, b, and c it is deemed necessary to ratify ILO Convention No. 81 Concerning Labour Inspection in Industry and Commerce;

In view of:

1. Article 5 subsection (1), Article I 11 subsection (2) and subsection (3), Article 20, and Article 27 subsection (1) and subsection (2) the Constitution of the Republic of Indonesia of 1945;
2. Act Number 24 of 2000 concerning International Convention (State Gazette of the Republic of Indonesia Year 2000 Number 185, Supplement of the State Gazette of the Republic of Indonesia Number 4012);

With the joint approval between
THE HOUSE OF REPRESENTATIVES OF THE REPUBLIC OF INDONESIA
and
THE PRESIDENT OF THE REPUBLIC OF INDONESIA
DECIDE:

To stipulate:

**ACT CONCERNING THE RATIFICATION OF THE ILO CONVENTION NO. 81
CONCERNING LABOUR INSPECTION IN INDUSTRY AND COMMERCE**

Article 1

Ratify the ILO Convention No. 81 Concerning Labour Inspection in Industry and Commerce which authentic English and French texts and its Indonesian translation are appended to this ratification as an inseparable part of this Act.

Article 2

This Act shall come into force on the day of its promulgation.

In order that everyone takes cognisance of this, the promulgation of this Act is herewith ordered by publication in the State Gazette of the Republic of Indonesia.

Legalized in Jakarta

On 25 July 2003

THE PRESIDENT OF
THE REPUBLIC OF INDONESIA,

sgd.

MEGAWATI SOEKARNOPUTRI

Promulgated in Jakarta

On 25 July 2003

STATE SECRETARY OF
THE REPUBLIC OF INDONESIA,

BAMBANG KESOWO

**State Gazette of the Republic of Indonesia Year 2003
Nomor 91
Elucidation of Act Number 21 of 2003**

**Concerning
The Ratification of The ILO Convention No. 81
Concerning Labour Inspection in Industry and
Commerce**

I. GENERAL

Manpower affairs in the future will continue to grow into more complex, thus need more serious handling. In the developing era, change of value and life will occur. The change may violate the provision of the laws.

In facing the change of value and life of the industry and commerce actors, it is expected that labour inspection will be able to take anticipative steps and accommodate the developments. Therefore, the perfection to the labour inspection system should be continued in order to effectively implement the laws and regulations by the industry and commerce actors. Labour inspection as a system has mission and function to enforce labour laws.

The application of labour laws is also meant to maintain a balance between rights and obligations of the employers and workers so it will ensure business survival and work peace to increase productivity.

Indonesia needs to ratify the ILO Convention No. 81 Concerning Labour Inspection in Industry and Commerce.

II. UNDERLYING IDEAS OF THE ADOPTION OF CONVENTION

1. ILO Convention No. 81 Year 1947 on labour inspection in industry and commerce requested all ILO members states to implement labour inspection system at work place.
2. In order the labour inspection system in industry and commerce has arrangement that is in line with the international standard, it is deemed necessary to ratify ILO Convention No. 81.

III. REASONS WHY INDONESIA RATIFIES THE CONVENTION

1. Labour inspection is an important system in the enforcement and implementation of labour laws and regulations. The enforcement or implementation of labour laws and regulations constitute an effort to maintain a balance between rights and obligations of the employers and workers. The balance is needed to maintain business continuation and work peace and at the end will increase productivity and workers' welfare.
2. To better implement labour laws and regulations, it is required to have an independent and central policy of the labour inspection.
3. During this period, labour inspection is regulated in Act number 3 Year 1951 concerning the Statement of Effectiveness of Labour Inspection Act 1948 Number 23 of the Republic of Indonesia for all Indonesians and Act Number 1 Year 1970 concerning Work Safety. Both Acts explicitly yet regulate the profession independency of the labour inspector and supervisor at the central level as stated in Article 4 and Article 6 of the ILO Convention Number 81. With the ratification of the ILO Convention No. 81 strengthen the regulation of labour inspection as mandated by Act Number 13 Year 2003 concerning Manpower.
4. Indonesia as part of the world society and as member of the ILO has moral obligation to implement the international provision including international labour standard.

IV. THE FUNDAMNETALS OF THE CONVENTION

1. The ILO member states that ratify this convention must implement labour inspection system at the work place.
2. Labour inspection system at the work place shall be implemented in all work places based on legislation, which inspection shall be carried out by labour inspector.
3. Labour inspection function must:
 - a. Guarantee the law enforcement on the work condition and workers' protection and regulation concerning working hour, wages, safety, health and welfare, child labour and youth, and other related issues.
 - b. Provide information on technical issues to the employers and workers on the effective way to obey laws and regulations.
 - c. Inform the government on the violation or misuse that is not specifically regulated in the prevailing laws.
4. Labour inspection must be under supervision and control of the central government.
5. The central government must stipulate regulations in order to increase:
 - a. the effective cooperation between the inspection unit and the other government institution and private one that is handling such activity.
 - b. cooperation between the labour inspector, the entrepreneur and workers.

6. Labour inspector consists of Civil Government Official whose employment and tasks regulated to guarantee the implementation of independent labour inspection.
7. According to the qualifications to be a government official that has been stipulated in national laws, the inspector must:
 - a. recruited by considering position requirement
 - b. gain training to work properly.
8. Government must stipulate the recruitment and training qualifications.
9. Amount and specialization of the inspector must be adequate to guarantee implementation of the effective inspection work.
10. The authorized official is under obligation to:
 - a. stipulate arrangement needed to facilitate labour inspector with local office, facilities and adequate transportation in accordance with the work requirement.
 - b. make arrangement needed to refund travelling cost to do their works.
11. The labour inspector or the local inspection office must give periodic report to central inspection office on their works.
12. The ILO member state that ratified the convention must report the implementation of the convention.

V. ARTICLE BY ARTICLE

Article 1

Should differences in interpretation of the Indonesian translation of this convention arise, the authentic English text of the convention applies.

Article 2

Sufficiently clear

SUPPLEMENT TO THE STATE GAZETTE OF THE REPUBLIC OF INDONESIA NUMBER 4309.



**C81 LABOUR INSPECTION
CONVENTION, 1947**

C81 Labour Inspection Convention, 1947

CONVENTION CONCERNING LABOUR INSPECTION IN INDUSTRY AND COMMERCE

(Note: Date of coming into force: 07:04:1950.)

Convention:C081

Place:Geneva

Session of the Conference:30

Date of adoption:11:07:1947

Subject classification: Labour Inspection

Subject: Labour Administration and Inspection

See the ratifications for this Convention

Display the document in: French Spanish

Status: Up-to-date instrument This instrument is one of the priority conventions.

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirtieth Session on 19 June 1947, and

Having decided upon the adoption of certain proposals with regard to the organisation of labour inspection in industry and commerce, which is the fourth item on the agenda of the Session, and

Having determined that these proposals shall take the form of an international Convention,

adopts this eleventh day of July of the year one thousand nine hundred and forty-seven the following Convention, which may be cited as the Labour Inspection Convention, 1947:

PART I. LABOUR INSPECTION IN INDUSTRY

Article 1

Each Member of the International Labour Organisation for which this Convention is in force shall maintain a system of labour inspection in industrial workplaces.

Article 2

1. The system of labour inspection in industrial workplaces shall apply to all workplaces in respect of which legal provisions relating to conditions of work and the protection of workers while engaged in their work are enforceable by labour inspectors.
2. National laws or regulations may exempt mining and transport undertakings or parts of such undertakings from the application of this Convention.

Article 3

1. The functions of the system of labour inspection shall be:
 - (a) to secure the enforcement of the legal provisions relating to conditions of work and the protection of workers while engaged in their work, such as provisions relating to hours, wages, safety, health and welfare, the employment of children and young persons, and other connected matters, in so far as such provisions are enforceable by labour inspectors;
 - (b) to supply technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions;
 - (c) to bring to the notice of the competent authority defects or abuses not specifically covered by existing legal provisions.
2. Any further duties which may be entrusted to labour inspectors shall not be such as to interfere with the effective discharge of their primary duties or to prejudice in any way the authority and impartiality which are necessary to inspectors in their relations with employers and workers.

Article 4

1. So far as is compatible with the administrative practice of the Member, labour inspection shall be placed under the supervision and control of a central authority.
2. In the case of a federal State, the term central authority may mean either a federal authority or a central authority of a federated unit.

Article 5

The competent authority shall make appropriate arrangements to promote:

- (a) effective co-operation between the inspection services and other government services and public or private institutions engaged in similar activities; and
- (b) collaboration between officials of the labour inspectorate and employers and workers or their organisations.

Article 6

The inspection staff shall be composed of public officials whose status and conditions of service are such that they are assured of stability of employment and are independent of changes of government and of improper external influences.

Article 7

1. Subject to any conditions for recruitment to the public service which may be prescribed by national laws or regulations, labour inspectors shall be recruited with sole regard to their qualifications for the performance of their duties.
2. The means of ascertaining such qualifications shall be determined by the competent authority.
3. Labour inspectors shall be adequately trained for the performance of their duties.

Article 8

Both men and women shall be eligible for appointment to the inspection staff; where necessary, special duties may be assigned to men and women inspectors.

Article 9

Each Member shall take the necessary measures to ensure that duly qualified technical experts and specialists, including specialists in medicine, engineering, electricity and chemistry, are associated in the work of inspection, in such manner as may be deemed most appropriate under national conditions, for the purpose of securing the enforcement of the legal provisions relating to the protection of the health and safety of workers while engaged in their work and of investigating the effects of processes, materials and methods of work on the health and safety of workers.

Article 10

The number of labour inspectors shall be sufficient to secure the effective discharge of the duties of the inspectorate and shall be determined with due regard for:

1. the importance of the duties which inspectors have to perform, in particular--
 - (a) the number, nature, size and situation of the workplaces liable to inspection;
 - (b) the number and classes of workers employed in such workplaces; and
 - (c) the number and complexity of the legal provisions to be enforced;
2. the material means placed at the disposal of the inspectors; and
3. the practical conditions under which visits of inspection must be carried out in order to be effective.

Article 11

1. The competent authority shall make the necessary arrangements to furnish labour inspectors with--
 - (a) local offices, suitably equipped in accordance with the requirements of the service, and accessible to all persons concerned;
 - (b) the transport facilities necessary for the performance of their duties in cases where suitable public facilities do not exist.
2. The competent authority shall make the necessary arrangements to reimburse to labour inspectors any travelling and incidental expenses which may be necessary for the performance of their duties.

Article 12

1. Labour inspectors provided with proper credentials shall be empowered:
 - (a) to enter freely and without previous notice at any hour of the day or night any workplace liable to inspection;
 - (b) to enter by day any premises which they may have reasonable cause to believe to be liable to inspection; and
 - (c) to carry out any examination, test or enquiry which they may consider necessary in order to satisfy themselves that the legal provisions are being strictly observed, and in particular--
 - (i) to interrogate, alone or in the presence of witnesses, the employer or the staff of the undertaking on any matters concerning the application of the legal provisions;
 - (ii) to require the production of any books, registers or other documents the keeping of which is prescribed by national laws or regulations relating to conditions of work, in order to see that they are in conformity with the legal provisions, and to copy such documents or make extracts from them;
 - (iii) to enforce the posting of notices required by the legal provisions;
 - (iv) to take or remove for purposes of analysis samples of materials and substances used or handled, subject to the employer or his representative being notified of any samples or substances taken or removed for such purpose.
2. On the occasion of an inspection visit, inspectors shall notify the employer or his representative of their presence, unless they consider that such a notification may be prejudicial to the performance of their duties.

Article 13

1. Labour inspectors shall be empowered to take steps with a view to remedying defects observed in plant, layout or working methods which they may have reasonable cause to believe constitute a threat to the health or safety of the workers.
2. In order to enable inspectors to take such steps they shall be empowered, subject to any right of appeal to a judicial or administrative authority which may be provided by law, to make or to have made orders requiring--
 - (a) such alterations to the installation or plant, to be carried out within a specified time limit, as may be necessary to secure compliance with the legal provisions relating to the health or safety of the workers; or
 - (b) measures with immediate executory force in the event of imminent danger to the health or safety of the workers.
3. Where the procedure prescribed in paragraph 2 is not compatible with the administrative or judicial practice of the Member, inspectors shall have the right to apply to the competent authority for the issue of orders or for the initiation of measures with immediate executory force.

Article 14

The labour inspectorate shall be notified of industrial accidents and cases of occupational disease in such cases and in such manner as may be prescribed by national laws or regulations.

Article 15

Subject to such exceptions as may be made by national laws or regulations, labour inspectors--

- (a) shall be prohibited from having any direct or indirect interest in the undertakings under their supervision;
- (b) shall be bound on pain of appropriate penalties or disciplinary measures not to reveal, even after leaving the service, any manufacturing or commercial secrets or working processes which may come to their knowledge in the course of their duties; and
- (c) shall treat as absolutely confidential the source of any complaint bringing to their notice a defect or breach of legal provisions and shall give no intimation to the employer or his representative that a visit of inspection was made in consequence of the receipt of such a complaint.

Article 16

Workplaces shall be inspected as often and as thoroughly as is necessary to ensure the effective application of the relevant legal provisions.

Article 17

1. Persons who violate or neglect to observe legal provisions enforceable by labour inspectors shall be liable to prompt legal proceedings without previous warning; Provided that exceptions may be made by national laws or regulations in respect of cases in which previous notice to carry out remedial or preventive measures is to be given.
2. It shall be left to the discretion of labour inspectors to give warning and advice instead of instituting or recommending proceedings.

Article 18

Adequate penalties for violations of the legal provisions enforceable by labour inspectors and for obstructing labour inspectors in the performance of their duties shall be provided for by national laws or regulations and effectively enforced.

Article 19

1. Labour inspectors or local inspection offices, as the case may be, shall be required to submit to the central inspection authority periodical reports on the results of their inspection activities.
2. These reports shall be drawn up in such manner and deal with such subjects as may from time to time be prescribed by the central authority; they shall be submitted at least as frequently as may be prescribed by that authority and in any case not less frequently than once a year.

Article 20

1. The central inspection authority shall publish an annual general report on the work of the inspection services under its control.
2. Such annual reports shall be published within a reasonable time after the end of the year to which they relate and in any case within twelve months.
3. Copies of the annual reports shall be transmitted to the Director-General of the International Labour Office within a reasonable period after their publication and in any case within three months.

Article 21

The annual report published by the central inspection authority shall deal with the following and other relevant subjects in so far as they are under the control of the said authority:

- (a) laws and regulations relevant to the work of the inspection service;
- (b) staff of the labour inspection service;
- (c) statistics of workplaces liable to inspection and the number of workers employed therein;
- (d) statistics of inspection visits;
- (e) statistics of violations and penalties imposed;
- (f) statistics of industrial accidents;
- (g) statistics of occupational diseases.

PART II. LABOUR INSPECTION IN COMMERCE

Article 22

Each Member of the International Labour Organisation for which this Part of this Convention is in force shall maintain a system of labour inspection in commercial workplaces.

Article 23

The system of labour inspection in commercial workplaces shall apply to workplaces in respect of which legal provisions relating to conditions of work and the protection of workers while engaged in their work are enforceable by labour inspectors.

Article 24

The system of labour inspection in commercial workplaces shall comply with the requirements of Articles 3 to 21 of this Convention in so far as they are applicable.

PART III. MISCELLANEOUS PROVISIONS

Article 25

1. Any Member of the International Labour Organisation which ratifies this Convention may, by a declaration appended to its ratification, exclude Part II from its acceptance of the Convention.
2. Any Member which has made such a declaration may at any time cancel that declaration by a subsequent declaration.
3. Every Member for which a declaration made under paragraph 1 of this Article is in force shall indicate each year in its annual report upon the application of this Convention the position of its law and practice in regard to the provisions of Part II of this Convention and the extent to which effect has been given, or is proposed to be given, to the said provisions.

Article 26

In any case in which it is doubtful whether any undertaking, part or service of an undertaking or workplace is an undertaking, part, service or workplace to which this Convention applies, the question shall be settled by the competent authority.

Article 27

In this Convention the term legal provisions includes, in addition to laws and regulations, arbitration awards and collective agreements upon which the force of law is conferred and which are enforceable by labour inspectors.

Article 28

There shall be included in the annual reports to be submitted under Article 22 of the Constitution of the International Labour Organisation full information concerning all laws and regulations by which effect is given to the provisions of this Convention.

Article 29

1. In the case of a Member the territory of which includes large areas where, by reason of the sparseness of the population or the stage of development of the area, the competent authority considers it impracticable to enforce the provisions of this Convention, the authority may exempt such areas from the application of this Convention either generally or with such exceptions in respect of particular undertakings or occupations as it thinks fit.
2. Each Member shall indicate in its first annual report upon the application of this Convention submitted under Article 22 of the Constitution of the International Labour Organisation any areas in respect of which it proposes to have recourse to the provisions of the present Article and shall give the reasons for which it proposes to have recourse thereto; no Member shall, after the date of its first annual report, have recourse to the provisions of the present Article except in respect of areas so indicated.
3. Each Member having recourse to the provisions of the present Article shall indicate in subsequent annual reports any areas in respect of which it renounces the right to have recourse to the provisions of the present Article.

Article 30

1. In respect of the territories referred to in article 35 of the Constitution of the International Labour Organisation as amended by the Constitution of the International Labour Organisation Instrument of Amendment 1946, other than the territories referred to in paragraphs 4 an, 5 of the said article as so amended, each Member of the Organisation which ratifies this Convention shall communicate to the Director-General

of the International Labour Office as soon as possible after ratification a declaration stating--

- a) the territories in respect of which it undertakes that the provisions of the Convention shall be applied without modification;
 - b) the territories in respect of which it undertakes that the provisions of the Convention shall be applied subject to modifications, together with details of the said modifications;
 - c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;
 - d) the territories in respect of which it reserves its decision.
2. The undertakings referred to in subparagraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.
 3. Any Member may at any time by a subsequent declaration cancel in whole or in part any reservations made in its original declaration in virtue of subparagraphs (b), (c) or (d) of paragraph 1 of this Article.
 4. Any Member may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 34, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of such territories as it may specify.

Article 31

1. Where the subject matter of this Convention is within the self-governing powers of any non-metropolitan territory, the Member responsible for the international relations of that territory may, in agreement with the Government of the territory, communicate to the Director-General of the International Labour Office a declaration accepting on behalf of the territory the obligations of this Convention.
2. A declaration accepting the obligations of this Convention may be communicated to the Director-General of the International Labour Office --
 - a) by two or more Members of the Organisation in respect of any territory which is under their joint authority; or
 - b) by any international authority responsible for the administration of any territory, in virtue of the Charter of the United Nations or otherwise, in respect of any such territory.
3. Declarations communicated to the Director-General of the International Labour Office in accordance with the preceding paragraphs of this Article shall indicate whether the provisions of the Convention will be applied in the territory concerned without modification or subject to modifications; when the declaration indicates that the provisions of the Convention will be applied subject to modifications it shall give details of the said modifications.

4. The Member, Members or international authority concerned may at any time by a subsequent declaration renounce in whole or in part the right to have recourse to any modification indicated in any former declaration.
5. The Member, Members or international authority concerned may, at any time at which this Convention is subject to denunciation in accordance with the provisions of Article 34, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of the application of the Convention.

PART IV. FINAL PROVISIONS

Article 32

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 33

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratifications has been registered.

Article 34

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 35

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications, declarations and denunciations communicated to him by the Members of the Organisation.
2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 36

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications, declarations and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 37


At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 38

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:
 - a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 34 above, if and when the new revising Convention shall have come into force;
 - b) as from the date when the new revising Convention comes into force, this Convention shall cease to be open to ratification by the Members.
2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 39

The English and French versions of the text of this Convention are equally authoritative.



**PRESIDENTIAL DECREE
REPUBLIC OF INDONESIA
NUMBER 21 OF 2010**



President of
the Republic of Indonesia

**PRESIDENTIAL DECREE
REPUBLIC OF INDONESIA
NUMBER 21 OF 2010**

**CONCERNING
LABOUR INSPECTION**

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering:

That in order to implement Article 178 paragraph (3) Act Number 13 Year 2003 concerning Manpower, it is necessary to determine Presidential Decree concerning the Labour Inspection;

In view of:

1. Article 4 paragraph (1) the Constitution of the Republic of Indonesia of 1945;
2. Act Number 3 Year 1951 regarding The Statement to Apply the Labor Inspection Act Year 1948 Number 23 of the Republic of Indonesia for All Indonesians (State Gazette of the Republic of Indonesia Year 1951 Number 4);
3. Act Number 3 Year 2003 concerning Manpower (State Gazette of the Republic of Indonesia Year 2003 Number 39, Supplement to the State Gazette of the Republic of Indonesia Number 4279);
4. Act Number 21 Year 2003 concerning the Ratification of the ILO Convention No.81 concerning Labour Inspection in Industry and Commerce (State Gazette of the Republic of Indonesia Year 2003 Number 91, Supplement to the State Gazette of the Republic of Indonesia Number 4309);



President of
the Republic of Indonesia

5. Act Number 32 Year 2004 concerning Regional Government (State Gazette of the Republic of Indonesia Year 2004 Number 125, Supplement to the State Gazette the Republic of Indonesia Number 4437) as amended several times the latest by Act Number 12 year 2008 (State Gazette of the Republic of Indonesia Year 2008 Number 59, Supplement to the State Gazette the Republic of Indonesia Number 4844);
6. Government Regulation Number 79 Year 2005 concerning Guideline to the Promotion and Inspection of Regional Government Administration (State Gazette of the Republic of Indonesia Year 2005 Number 165, Supplement to the State Gazette of the Republic of Indonesia Number 4539);
7. Government Regulation Number 38 Year 2007 concerning Division of Government Affairs between the Government, Provincial Government, and District/City Government (State Gazette of the Republic of Indonesia Year 2007 Number 82, Supplement to the State Gazette the Republic of Indonesia Number 4741);
8. Government Regulation Number 7 Year 2008 concerning Deconsentration and Assistance Task (State Gazette of the Republic of Indonesia Year 2008 Number 20, Supplement to the State Gazette the Republic of Indonesia Number 4816).



President of
the Republic of Indonesia

DECIDING:

To Stipulate:

GOVERNMENT REGULATION CONCERNING LABOUR INSPECTION.

CHAPTER I GENERAL PROVISIONS

Article 1

Under this Presidential Regulation, the following definitions shall apply:

1. Labour Inspection is an activity to inspect and enforce the implementation of the laws and regulations in the field of manpower.
2. The work unit of labour inspection in the institution with the scope of task and responsibility of the manpower within the Central Government is the work unit of labour inspection in the Ministry that carry out the manpower affairs in accordance with the laws and regulations.
3. The work unit of labour inspection in the institution with the scope of task and responsibility of the manpower within the Provincial Government is the work unit of labour inspection within the Provincial Regional Task Force that carry out the manpower affairs in accordance with the laws and regulations.
4. The work unit of labour inspection in the institution with the scope of task and responsibility of the manpower within the District/City Government is the work unit of labour inspection within the District/City Regional Task Force that carry out the manpower affairs in accordance with the laws and regulations.
5. Labour Inspection Official hereinafter called as Labour Inspector is Civil Servant that appointed and assigned in the functional position as Labour Inspection in accordance with the laws and regulations.
6. Minister is Minister responsible for manpower.



President of
the Republic of Indonesia

Article 2

Labour Inspection shall be carried out in a harmonized, coordinated, and integrated labour inspection system that covers:

- a. Work unit of labour inspection;
- b. Labour Inspector; and
- c. Procedure of labour inspection.

CHAPTER II WORK UNIT OF LABOUR INSPECTION

Article 3

- (1) Labour inspection shall be carried out by the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government, Provincial Government, and District/City Government.
- (2) To carry out the labour inspection as meant in paragraph (1), in the organization of the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government, Provincial Government, and District/City Government, functional position of labour inspection shall be established.
- (3) The provision regarding the establishment of the work unit of labour inspection as meant in paragraph (1) and paragraph (2) is stipulated in accordance with the laws and regulations.

Article 4

The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government, Provincial Government, and District/City Government in carrying out the labour inspection supported by facility and infrastructure in accordance with the laws and regulations.



President of
the Republic of Indonesia

Article 5

- (1) The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government, Provincial Government, and District/City Government, shall be carried out in coordination.
- (2) The coordination between the work unit of labour inspection as meant in paragraph (1) shall be carried out through:
 - a. Coordination at the national level;
 - b. Coordination at the provincial level.

Article 6

- (1) The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government undertakes a Coordination Meeting at the National level to be attended by all work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government and District/City Government at least once in a year.
- (2) In the Coordination Meeting at the National level as meant in paragraph (1), the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government, may include other relevant government institution and/or other parties as considered necessary.

Article 7

The result of the Coordination Meeting at the National level as meant in Article 6 shall be the guidance for the implementation of the Coordination at the Provincial Level.

Article 8

- (1) The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government undertakes a Coordination Meeting at the National level to be attended by all work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the District/City Government in the relevant Province at least once in a year.



President of
the Republic of Indonesia

- (2) In the Coordination Meeting at the Provincial level as meant in paragraph (1), the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government, may include other relevant Regional Government institution and/or other parties as considered necessary.

Article 9

- (1) The result of the Coordination Meeting at the Provincial Level as meant in Article 8 shall be the guidance for the implementation of the labour inspection in the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the District/City Government.
- (2) In order to implement the labour inspection as meant in paragraph (1), the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the District/City Government may undertake operational technical meeting.

Article 10

- (1) The result of labour inspection implementation at the District/City level shall be reported to the District Head/Major.
- (2) The District Head/Major shall report the result of the labour inspection implementation in his/her region to the Governor.

Article 11

- (1) The result of labour inspection implementation at the Provincial level shall be reported to the Governor.
- (2) The Governor shall report the result of the labour inspection implementation in his/her region to the Minister with copy to Minister of Home Affairs.

Article 12

Minister shall report the result of labour inspection implementation to nationally to the President.



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Article 13

Further provisions regarding the coordination of the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government, Provincial Government, and District/City Government and the procedure of reporting of the labour inspection shall be regulated by the Minister with a view to the laws and regulations.

CHAPTER III LABOUR INSPECTORS

Article 14

- (1) The labour inspection shall be carried out by the Labour Inspector who has competency and independency.
- (2) The Labour Inspector as meant in paragraph 91) shall be appointed in accordance with the laws and regulations.

Article 15

- (1) In order to fulfill the needs of the Labour Inspector, availability of the Labour Inspection shall be prepared.
- (2) The preparation of the availability of the Labour Inspection as meant in paragraph (1) shall be conducted through:
 - (a) Recruitment of new Civil Servant as Labour Inspector
 - (b) Empowerment of Civil Servant to be Labour Inspector.
- (3) The availability of the Labour Inspector as meant in paragraph (1) and paragraph (2) shall be implemented in accordance with the laws and regulations.

Article 16

- (1) Minister shall determine the Need Plan of the Labour Inspector nationally.
- (2) The determination of the Need Plan of the Labour Inspector nationally as meant in



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paragraph (1) shall be implemented at the latest 1 (one) year since the issuance of this Presidential Regulation and to be adjusted regularly once in a year.

- (3) Further provision regarding the Need Plan of the Labour Inspector as meant in paragraph (1) and paragraph (2) shall be regulated by the Minister.

Article 17

- (1) In order to achieve effective and successful Labour Inspector, quality improvement of the Labour Inspector shall be carried out.
- (2) The quality improvement of the Labour Inspector as meant in paragraph (1) shall be implemented through education and training in accordance with the laws and regulations.

Article 18

The institution with scope of task and responsibility in the manpower field within the Central Government shall conduct the promotion of the function of the Labour Inspector in accordance with the laws and regulations.

Article 19

- (1) The Labour Inspector responsible to conduct labour inspection.
- (2) Beside the duty as meant in paragraph (1), the Labour Inspector shall have the authority as Civil Servant Investigator in accordance with the laws and regulations.

Article 20

In performing his/her duty and authority, the Labour Inspector shall:

- a. Keep confidential all materials that according to its nature should be confidential;
- b. Do not misuse his/her authority.

Article 21

The provision regarding the rights, obligations, duties, and authorities of the Labour Inspector shall be implemented in accordance with the laws and regulations.



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CHAPTER IV PROCEDURE OF LABOUR INSPECTION

Article 22

- (1) The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government, Provincial Government, and District/City Government shall conduct the labour inspection in accordance with its authority, which the implementation shall be carried out by the Labour Inspection.
- (b) The procedure of labour inspection as meant in paragraph (1) shall be carried out in accordance with the laws and regulations.

Article 23

- (1) In case there is issue to the implementation of the labour inspection in the Provincial and/or District/City level that has impact at the national and international level, then the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government shall take necessary steps to solve the labour inspection issue.
- (2) The implementation of the provision as meant in paragraph (1) shall be conducted in coordination with the institution with scope of task and responsibility in the manpower field within the Provincial Government and District/City Government where the problem occurs.

CHAPTER V PROMOTION OF LABOUR INSPECTION

Article 24

- (1) The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government shall promote labour inspection to the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government and District/City Government.



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- (2) In order to promote to the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the District/City Government as meant in paragraph (1), Minister may delegate the implementation to the Governor in accordance with the laws and regulations.

Article 25

The promotion of labour inspection as meant in Article 24 aims to support the ability of the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government, and District/City Government in conducting the labour inspection as its authority.

Article 26

The promotion of labour inspection as meant in Article 25 includes the area of:

- a. Institutional;
- b. Human resources of the Labour Inspector;
- c. Facility and Infrastructure;
- d. Funding;
- e. Administration;
- f. Information system of labour inspection.

Article 27

The promotion of labour inspection as meant in Article 26 shall be conducted through:

- a. Mentoring;
- b. Consultation;
- c. Counseling;
- d. Supervision and monitoring;
- e. Socialization;
- f. Education and Training;
- g. Coaching of the labour inspection implementation;
- h. Other activities for promotion purpose.



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Article 28

Further provisions regarding the promotion of labour inspection as meant in Article 24, Article 25, Article 26, and Article 27, shall be regulated with a view of the laws and regulations.

Article 29

- (1) In case the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government and District/City Government do not have capability yet after the promotion of labour inspection is conducted, then temporarily the labour inspection shall be conducted by the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government.
- (2) The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government shall return the labour inspection matter as meant in paragraph (1), if the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government and District/City Government has capability to conduct labour inspection.
- (3) The implementation of the provision as meant in paragraph (1) and paragraph (2) shall be conducted in accordance with the laws and regulations.

CHAPTER VI

INFORMATION NETWORK OF LABOUR INSPECTION

Article 30

In the frame of labour inspection, information network of labour inspection shall be established as an integral information system of labour inspection.



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Article 31

Information network of labour inspection shall have the function of:

- a. facility to serve information;
- b. Improving dissemination and understanding of the knowledge in the field of labour inspection.

Article 32

(1) Information network of the labour inspection consist of:

- a. Network central;
- b. Network member.

(2) The network central as meant in paragraph (1) letter a is a work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government.

(3) The network member as meant in paragraph (1) letter b is:

- a. the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government;
- b. the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the District/City Government.

Article 33

The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government shall act as the network central at the provincial level with the network member of the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the District/City Government.

Article 34

The provision regarding the form, content, and management of data and information in the information network of the labour inspection shall be regulated by the Minister.



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Article 35

- (1) The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government as the network central has duty to conduct promotion, development, monitoring to the information network member of labour inspection.
- (2) The implementation of the provision as meant in paragraph (1) shall be further regulated by the Minister.

Article 36

- (1) Other party may be the information network member of the labour inspection.
- (2) Further provision regarding the requirement and procedure to be information network member of labour inspection as meant in paragraph (1) shall be regulated by the Minister.

Article 37

All cost required for the implementation of the information network of labour inspection shall be borne by the network central budget and each of information network member of labour inspection.

CHAPTER VII OTHER PROVISION

Article 38

- (1) For purpose of labour inspection, the Minister may undertake:
 - a. International cooperation in the field of labour inspection;
 - b. Grant award; and
 - c. Development of labour inspection system.



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- (2) The implementation of the provision as meant in paragraph (1) shall be further regulated by the Minister.

CHAPTER VIII

CLOSING PROVISION

Article 39

This Presidential Regulation shall come into force upon the date of its stipulation.

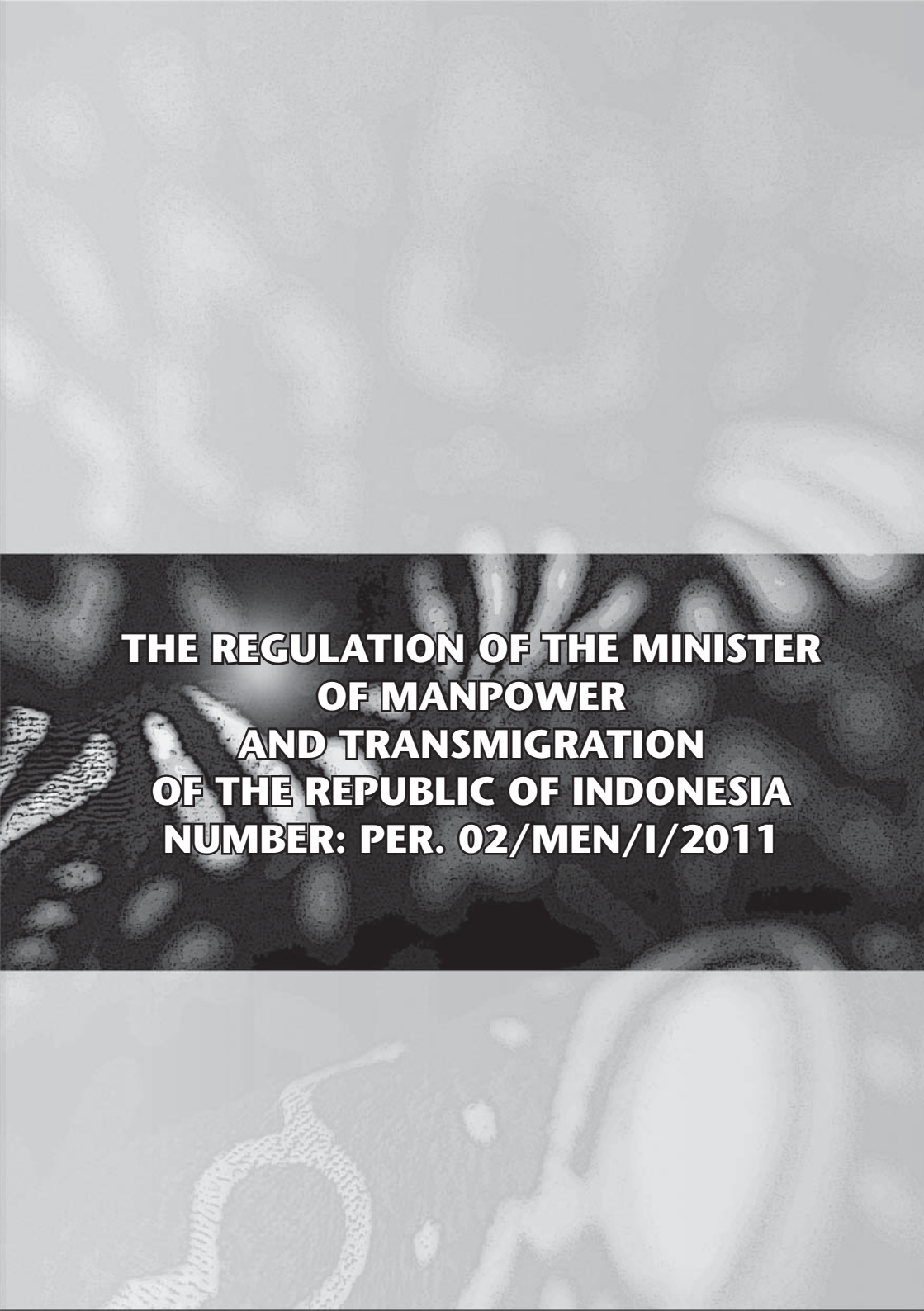
stipulated in Jakarta
On 19 March 2010
PRESIDENT OF THE REPUBLIC OF
INDONESIA

Signed and stamped
DR.H.SUSILO BAMBANG YUDHOYONO

Certified copy conforms to the original

SECRETARIAT CABINET OF
THE REPUBLIC OF INDONESIA
Deputy Cabinet Secretary
Legal Affairs,

Signed
Dr. M. Iman Santoso



**THE REGULATION OF THE MINISTER
OF MANPOWER
AND TRANSMIGRATION
OF THE REPUBLIC OF INDONESIA
NUMBER: PER. 02/MEN/I/2011**



Minister of Manpower
and Transmigration of
the Republic of Indonesia

**THE REGULATION OF THE MINISTER OF MANPOWER
AND TRANSMIGRATION
OF THE REPUBLIC OF INDONESIA
NUMBER: PER. 02/MEN/I/2011**

**CONCERNING
PROMOTION AND COORDINATION OF THE LABOUR
INSPECTION IMPLEMENTATION**

MINISTER OF MANPOWER AND TRANSMIGRATION OF
THE REPUBLIC OF INDONESIA,

Considering:

that as the implementation of the provision under Article 13, Article 16 paragraph (3), and Article 28 of the Presidential Regulation Number 21 Year 2010 concerning Labour Inspection, it is necessary regulating the promotion and coordination of the labour inspection with the Ministerial Regulation.

In view of:

1. Act Number 3 Year 1951 concerning The Statement to Apply the Labor Inspection Act Year 1948 Number 23 of the Republic of Indonesia for All Indonesians (State Gazette of the Republic of Indonesia Year 1951 Number 4);
2. Act Number 1 Year 1970 concerning Work Safety (State Gazette of the Republic of Indonesia Year 1970 Number 1, Supplement to the State Gazette of the Republic of Indonesia Number 1918);

3. Act Number 13 Year 2003 concerning Manpower (State Gazette of the Republic of Indonesia Year 2003 Number 39, Supplement to the State Gazette the Republic of Indonesia Number 4279);
4. Act Number 21 Year 2003 concerning the Ratification of the ILO Convention No.81 concerning Labour Inspection in Industry and Commerce (State Gazette of the Republic of Indonesia Year 2003 Number 91, Supplement to the State Gazette of the Republic of Indonesia Number 4309);
5. Act Number 32 Year 2004 concerning Regional Government (State Gazette of the Republic of Indonesia Year 2004 Number 125, Supplement to the State Gazette the Republic of Indonesia Number 4437) as amended several times the latest by Act Number 12 year 2008 (State Gazette of the Republic of Indonesia Year 2008 Number 59, Supplement to the State Gazette the Republic of Indonesia Number 4844);
6. Government Regulation Number 79 Year 2005 concerning Guideline to the Promotion and Inspection of Regional Government Administration (State Gazette of the Republic of Indonesia Year 2005 Number 165, Supplement to the State Gazette of the Republic of Indonesia Number 4539);
7. Presidential Regulation of the Republic of Indonesia Number 21 Year 2010 concerning the Labour Inspection.
8. Decree of the State Minister of Empowerment of State Apparatus and Bureaucratic Reform of the Republic of Indonesia Number 19 Year 2010 concerning the Functional Position of Labour Inspection and Its Credit Number;
9. Regulation of the Minister of Manpower and Transmigration of the Republic of Indonesia Number PER.20/MEN/IX/2005 concerning the Career Pattern and Education and Training of Functional Position of Labour Inspection.

DECIDING:

To Stipulate:

THE DECISION OF THE MINISTER OF MANPOWER AND TRANSMIGRATION OF THE REPUBLIC OF INDONESIA CONCERNING PROMOTION AND COORDINATION OF THE LABOUR INSPECTION IMPLEMENTATION

Article 1

Under this Ministerial Decision, the following definitions shall apply:

1. Labour Inspection is an activity to inspect and enforce the implementation of the laws and regulations in the field of manpower.
2. The work unit of labour inspection in the institution with the scope of task and responsibility of the manpower within the Central Government is the work unit of labour inspection in the Ministry that carry out the manpower affairs in accordance with the laws and regulations.
3. The work unit of labour inspection in the institution with the scope of task and responsibility of the manpower within the Provincial Government is the work unit of labour inspection within the Provincial Regional Task Force that carry out the manpower affairs in accordance with the laws and regulations.
4. The work unit of labour inspection in the institution with the scope of task and responsibility of the manpower within the District/City Government is the work unit of labour inspection within the District/City Regional Task Force that carry out the manpower affairs in accordance with the laws and regulations.
5. The promotion of the labour inspection is a series of promotion activities that is conducted by the government and/or provincial government regarding institutional, human resources of labour inspection, facility and infrastructure, funding, administrative, and information system of labour inspection.
6. Labour Inspection Official hereinafter called as Labour Inspector is civil servant that appointed and assigned in the functional position as Labour Inspection in accordance with the laws and regulations.
7. Director General is Director General of labour inspection within the institution with the scope of task and responsibility of the manpower within the Central Government.
8. Minister is Minister responsible for manpower.

CHAPTER II

PROMOTION OF LABOUR INSPECTION

Part One General

Article 2

The promotion of labour inspection shall support the ability of the work unit of the labour inspection in conducting the law enforcement in the field of manpower in a harmonized, coordinated, and integrated manner within the central government, provincial government and district/city government.

Article 3

- (1) The promotion of labour inspection shall be conducted in accordance with the national policy in this Ministerial Regulation.
- (2) Director General shall implement the promotion of labour inspection at the provincial government based on the national policy as meant in paragraph (1).
- (3) Governor or the appointed official shall implement the promotion of labour section on at the district/city based on the national policy as meant in paragraph (1).

Article 4

- (1) The promotion of labour inspection as meant in Article 3 paragraph (1), covers:
 - a. Institutional;
 - b. Human resources of the Labour Inspector;
 - c. Facility and Infrastructure;
 - d. Funding;
 - e. Administration;
 - f. Information system of labour inspection.
- (2) The implementation of the promotion of the labour inspection as meant in paragraph (1) shall be conducted through:
 - a. Mentoring;
 - b. Consultation;
 - c. Counseling;
 - d. Supervision and monitoring;
 - f. Socialization;
 - g. Education and Training;
 - h. Coaching;
 - i. Evaluation.

Part Two Institutional

Article 5

The promotion of institutional as meant in Article 4 paragraph (1) letter a shall be conducted to improve the performance through the optimal implementation of task and function of the work unit of labour inspection within the institution with the scope of task and responsibility of the manpower.

Article 6

The improvement of performance through the optimal implementation of task and function as meant in Article 5 covers:

- a. Formulation of labour inspection work plan based on the analytical result of the labour inspection object and adjusted to the development of technology and regional social economic need;
- b. Data development of labour inspection object as the basis of formulation of the risk mapping of the manpower norms, stipulation of norms, standards, procedure and criteria;
- c. Dissemination of manpower norms to the public;
- d. Management of labour inspection activity in the form of examination, testing and investigation;
- e. Issuance of permit to use production equipment, validation of equipment/installation and protection facility, granting recommendation of Occupational Safety and Health (OSH) at the work plan.
- f. Determination of work accident and/or sickness due to work;
- g. Determination of wages calculation and/or overtime pay;
- h. Promotion of the establishment and improvement of the activity of the Occupational Safety and Health Committee (P2K3);
- i. Promotion and empowerment of Service Company of Occupational safety and Health (PJK3) and evaluation of the result of the activities.
- j. Promotion of establishment and improvement of activity of the work norms' candidate;
- k. Promotion of the Expert of Occupational Safety and Health, company's doctor and/or doctor who examines the works' health, SMK3 auditor, official, operator, and technician in the field of Occupational safety and Health (K3);
- l. Promotion of the establishment of the action committee of the elimination of worst forms of child labour;

- m. Promotion in preventing the discrimination for the application of manpower norms;
- n. Granting award in the manpower field;
- o. Coordination and cooperation with the related institution and profession association;
- p. Reporting the result of labour inspection activity.

Article 7

In the implementation of the promotion of the institutional as meant in Article 5, Governor or the appointed official shall conduct mentoring, supervision, caching, and evaluation to the district/city government.

Part Three Human Resources of Labour Inspector

Article 8

The promotion of human resources as meant in Article 4 paragraph (1) letter b shall be conducted to:

- a. Fulfill the need of human resources of the labour inspector;
- b. Improve the quality of labour inspectors;
- c. Assign and placement.

Article 9

- (1) The fulfillment of human resources need of the labour inspector as meant in Article 8 letter a, shall be conducted based on the work load, labour inspection object and formation in accordance with the laws and regulations.
- (2) To fulfill the human resources need of the labour inspector in the province as meant in paragraph (1), Governor or the appointed official, proposes the participants' nomination for the training and education of the labour inspection to the Minister in accordance with the laws and regulations.
- (3) To fulfill the human resources need of the labour inspector in district/city as meant in paragraph (1), the district Head/major or the appointed official, propose the participants' nomination for the training and education of the labour inspection to the Minister through the Governor in accordance with the laws and regulations.

Article 10

- (1) Improvement of the human resources quality of the labour inspector as meant in Article 8 letter b may be conducted through:

- a. Education and training of the Civil Servant Investigator (PPNS);
 - b. Education and training of manpower for specialization/expertise;
 - c. Education and training to upgrade skill;
 - d. Technical counselor;
 - e. Seminar;
 - f. Workshop;
 - g. Training of trainers;
 - h. Comparative study; and
 - i. Internship/coaching.
- (2) The material for improving the quality of human resources of the labour inspector as meant in paragraph (1) covers:
- a. Formulation of examination/testing work plan;
 - b. Examination and/or testing;
 - c. Determination and calculation;
 - d. Dissemination of manpower laws and regulations;
 - e. Investigation in the manpower field;
 - f. Development in the field of labour inspection;
 - g. Cooperation and coordination with the partner; and/or
 - i. Reporting of the result of examination/testing.
- (3) The implementation of the improvement of the human resources quality of the labour inspector as meant in paragraph (1) shall be conducted in accordance with the laws and regulations.

Article 11

- (1) The participants of the education and training of the labour inspection who has been declared pass and fulfill the qualification, shall be appointed as the labour inspector by the Minister.
- (2) The labour inspector as meant in paragraph (1) shall be appointed and assigned in the functional position of the labour inspector and placed in the work unit of labour inspection within the institution with the scope of task and responsibility of the manpower within the Central Government, Provincial Government, and District/City Government in accordance with the laws and regulations.

Article 12

In the implementation of the promotion of human resources of the labour inspector as meant in Article 8, Governor or the appointed official shall conduct mentoring, supervision, coaching, and evaluation to the District/City Government.

Article 13

- (1) The promotion of the facility and infrastructure as meant in Article 4 paragraph (1) letter c shall be conducted to improve the operational ability of the work unit of the labour inspection.
- (2) The promotion of facility of infrastructure as meant in paragraph (1) covers the procurement and usage of the facility and infrastructure.
- (3) The facility and infrastructure as meant in paragraph (2) covers:
 - a. Office;
 - b. Office equipment;
 - c. Transportation facility;
 - d. Examination and testing equipment;
 - e. Uniform and attribute of labour inspector;
 - f. Legitimizing card;
 - g. Other operational support.

Article 14

In the implementation of the promotion of facility and infrastructure as meant in Article 13, Governor or the appointed official shall conduct mentoring, consultation, supervision, monitoring and evaluation to the District/City Government.

Part Five Funding

Article 15

- (1) The promotion of funding as meant in Article 4 paragraph (1) letter d shall be conducted to ensure the availability of the operational cost of the labour inspection.
- (2) The promotion of funding as meant in paragraph (1) shall be conducted to the planning and budget to:
 - a. Fulfill the need and improve the ability of the labour inspector;
 - b. Disseminate of manpower norms;
 - c. Examine and test;
 - d. Investigate;
 - e. Provide facility and infrastructure;
 - f. Manage information network;
 - g. Conduct technical administration and investigation;
 - h. Coordinate functional; and
 - i. Cooperation of the labour inspection.

- (3) Operational budget of the labour inspection as meant in paragraph (1) shall come from the State Budget of Income and Expenditure (APBN) and Regional Budget of Income and Expenditure (APBD) and/or other legal and non-binding sources.

Article 16

In the implementation of the promotion of funding as meant in Article 15, the Governor or the appointed official shall coach, consult, supervise and monitor and evaluate to the district/city government.

Article 17

- (1) The administrative promotion as meant in Article 4 paragraph 91) letter e shall be conducted to ensure the organization of technical administration of the labour inspection in line with the existing provisions.
- (2) The technical administration of the labour inspection as meant in paragraph (1) covers:
- a. Management of the data of the labour inspector;
 - b. Management of the work plan of the unit and labour inspectors;
 - c. Management of the object data of the labour inspection;
 - d. Management of the inspection activity data and/or examination of the labour inspector;
 - e. Management of licensing data and/or validation of the labour inspection object;
 - f. Management of the data of the labour inspection partner (institutional and personnel);
 - g. Management of work accident and illness due to work and data of the labour inspection;
 - i. Management of the report of the work unit of the labour inspection.
- (3) In the frame to organize the technical administration of the labour inspection as meant in paragraph (2), an organization of the technical administration of the labour inspection shall be available.
- (4) To fulfill the need of the organization of the technical administration of the labour inspection at the provincial level as meant in paragraph (3), the Governor or the appointed official shall convey the nomination of the participants for the education and training of the technical administration of the labour inspection to the Minister.
- (5) To fulfill the need of the organization of the technical administration of the labour inspection at the district/city level as meant in paragraph (3), the head of district/major or the appointed official shall convey the nomination of the participants for the education and training of the technical administration of the labour inspection to the Governor or the appointed official.

Article 18

In the implementation of the promotion of administration as meant in Article 17, the Governor or the appointed official shall coach, consult, supervise and monitor and evaluate to the district/city government.

Article 19

The promotion of information system of the labour inspection as meant in Article 4 paragraph (1) letter f shall be conducted to ensure the availability of manpower information within the work unit of the labour inspection.

Article 20

- (1) The information system of the labour inspection as meant in Article 19 shall be established through the organization of the information net of the labour inspection.
- (2) The organization of the information net of the labour inspection as meant in paragraph (1) covers the entry, manage, and present the data of the labour inspection.
- (3) The information of the labour inspection as meant in paragraph (2) shall consist the data of:
 - a. Human resources of the labour inspectors;
 - b. The object of the labour inspection;
 - c. The activity of the labour inspection;
 - d. Work accident and illness due to work;
 - e. Institution and partners of the labour inspection;
 - f. Licensing and recommendation; and
 - g. Other manpower issues.

Article 21

In the implementation of the promotion of information system as meant in Article 20, the Governor or the appointed official shall coach, consult, mentor, supervise and monitor and evaluate to the district/city government.

CHAPTER III

COORDINATION OF THE WORK UNIT OF THE LABOUR INSPECTION

Article 22

- (1) The coordination between the work unit of the labour inspection aims to achieve common perception in the implementation of the labour inspection.
- (2) The coordination between the work units of the labour inspection as meant in paragraph (1) shall be implemented at the national and provincial level.
- (3) The coordination at the level of district/city government shall be implemented through operational technical meeting of the labour inspection.

Part One

Coordination at the National Level

Article 23

- (1) The coordination of labour inspection at the national level as meant in article 22 paragraph (2) shall be conducted to discuss and/or agree the following matters:
 - a. Policy and strategy of the labour inspection implementation;
 - b. Program and activity of labour inspection;
 - c. Harmonization of policy at the national, provincial and district/city level;
 - d. Need of institution, human resources of labour inspector, technical administration of labour inspection and the organization of information network of labour inspection;
 - e. Sharpening the labour inspection implementation;
 - f. Manpower issue at the national and international level.
- (2) The coordination of labour inspection at the national level as meant in paragraph (1) shall be conducted through coordination meeting at the national level organized by the Director General once in 1 (one) year.

Article 24

The coordination meeting at the national level as meant in Article 23 paragraph (2) shall be attended by all work units of labour inspection in the institution with the scope of task and responsibility of the manpower within the Provincial Government and District/City Government, related institution and/or other party as considered necessary.

Article 25

The coordination result of the labour inspection at the national level as meant in article 24 shall be endorsed by the Minister or the appointed official and serve as the guideline in the implementation of the labour inspection.

Part Two Coordination at the Provincial level

Article 26

- (1) The coordination of labour inspection at the provincial level as meant in Article 22 paragraph (2) shall be organized to implement the result of coordination meeting at the national level.
- (2) In the coordination meeting at the provincial level as meant in paragraph (1) shall be discussed and/or agree the following matters:
 - a. Local condition of the labour inspection;
 - b. Need of the institution, human resources of labour inspector, technical administration of labour inspection and the organization of the information network of labour inspection;
 - c. Harmonization of the implementation of labour inspection between the district/city government;
 - d. The balance of program in the implementation of labour inspection between district/city;
 - e. Practice and/or implementation of labour inspection shall be adjusted with the need of regional and should be in line with the national policy;
 - f. Procedure of handling and resolving the cases in the manpower field;
 - g. The result of labour inspection at the district/city for the period of the last 1 (one) year.

Article 27

- (1) The coordination of labour inspection at the provincial level as meant in Article 26 shall be implemented through coordination meeting at the provincial level to be organized by the Governor or the appointed official at least once in 1 (one) year.
- (2) The coordination meeting at the provincial level as meant in paragraph (1) shall be attended by all work units of labour inspection in the institution with the scope of task and responsibility of the manpower within the District/City Government, related government institutions and/or other party as considered necessary.

Article 28

The coordination result of the labour inspection at the provincial level as meant in article 27 shall be endorsed by the Governor or the appointed official and serve as the guideline in the implementation of the labour inspection at the District/City level and material for the coordination meeting at the national level.

Part Three Operational Technical Meeting

Article 29

- (1) In order to improve the performance of labour inspection and support the coordination meeting at the provincial level, work unit of labour inspection in the institution with the scope of task and responsibility of the manpower within the District/City Government could implement the operational technical meeting.
- (2) The operational technical meeting as meant in paragraph (1) shall discuss and agree the efforts to implement the result of coordination meeting at the national and provincial levels.
- (3) In the operational technical meeting as meant in paragraph (1), the following matters could be discussed and agreed:
 - a. The conditions of the local labour inspection;
 - b. The need of institution, human resources of labour inspector, technical administration of labour inspection and organization of information network of labour inspection;
 - c. Internal and external coordination in the implementation of labour inspection;
 - d. Practice and/or implementation of labour inspection shall be adjusted with the regional need and shall be in line with the national policy.
 - e. Procedure of handling and resolving the cases in the manpower field;
 - f. Other matters considered necessary in the labour inspection.

Article 30

- (1) The operational technical meeting of labour inspection as meant in Article 29 shall be organized by the Head of District/ Major or the appointed official at least once in 1 (one) year.
- (2) The operational technical meeting as meant in paragraph (1) shall be attended by all work units of labour inspection in the institution with the scope of task and responsibility of the manpower within the District/City Government, related government institutions and/or other party as considered necessary.

Article 31

The result of operation technical meeting of labour inspection at the district/city level as meant in Article 30 shall be used as the material for the coordination meeting at the provincial level.

Part Four Funding

Article 32

- (1) The cost for the implementation of the national level coordination as meant in Article 22 paragraph (2) shall be borne by the State Income and Expenditure Budget (APBN), provincial Regional Income and Expenditure Budget (APBD), district/city Regional Income and Expenditure Budget (APBD), and other legal and non-binding resources.
- (2) The cost for provincial level coordination as meant in Article 22 paragraph (2) shall be borne by provincial Regional Income and Expenditure Budget (APBD), district/city Regional Income and Expenditure Budget (APBD), and other legal and non-binding resources.
- (3) The cost for operation technical meeting as meant in Article 22 paragraph (2) shall be borne by district/city Regional Income and Expenditure Budget (APBD), and other legal and non-binding resources.

CHAPTER III OTHER PROVISION

Article 33

Other provision which not yet regulated under this regulation shall be further stipulated by Director General.

CHAPTER IV CLOSING

Article 34

This Ministerial Decree shall come into force as of the date of its stipulation.

For public cognizance, this Ministerial Regulation shall be promulgated by placing it in the Statute Book of the Republic of Indonesia.

Stipulated in Jakarta

On 26 January 2011

Minister of Manpower and Transmigration
Republic of Indonesia

signed

Drs. H.A.MUHAIMIN ISKANDAR, M.Si.

Promulgated in Jakarta

On 26 January 2011

Minister of Law and Human Rights
Republic of Indonesia

signed

PATRIALIS AKBAR

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Head of Legal Bureau,

Sunarno, SH., MH