

UNOFFICIAL TRANSLATION¹

**REGULATION OF THE MINISTER OF MANPOWER AND
TRANSMIGRATION
OF THE REPUBLIC OF INDONESIA
NUMBER 10 YEAR 2012**

**CONCERNING
THE LABOUR INSPECTION COMMITTEE**

WITH THE GRACE OF GOD THE ALMIGHTY

**MINISTER OF MANPOWER AND TRANSMIGRATION OF
THE REPUBLIC OF INDONESIA,**

Considering:

- a. That labour inspection is a state function which is implemented independently to enforce the laws and regulations in the field of manpower;
- b. That labour inspection is experiencing dynamic development and facing complex challenges related to the functioning of the labour inspection;
- c. That to support the functioning of labour inspection, it is necessary to strengthen the labour inspection system through the involvement of the other stakeholders in the Labour Inspection Committee;
- d. That based on the consideration mentioned above, it is necessary to establish the Labour Inspection Committee through a Ministerial Regulation.

In view of:

1. Act Number 3 of 1951 concerning The Statement to Apply the Labour Inspection Act of 1948 Number 23 of the Republic of Indonesia for All Indonesians (State Gazette of the Republic of Indonesia of 1951 Number 4);
2. Act Number 1 of 1970 concerning Work Safety (State Gazette of the Republic of Indonesia of 1970 Number 1, Supplement to the State Gazette of the Republic of Indonesia Number 1918);
3. Act Number 21 of 2000 concerning Trade Union (State Gazette of the Republic of Indonesia of 2000 Number 131, Supplement to the State Gazette of the Republic of Indonesia Number 3989);
4. Act Number 13 of 2003 concerning Manpower (State Gazette of the Republic of Indonesia of 2003 Number 39, Supplement to the State Gazette the Republic of Indonesia Number 4279);

¹ Check against original

5. Act Number 21 of 2003 concerning the Ratification of the ILO Convention No. 81 concerning Labour Inspection in Industry and Commerce (State Gazette of the Republic of Indonesia of 2003 Number 91, Supplement to the State Gazette of the Republic of Indonesia Number 4309);
6. Presidential Regulation of the Republic of Indonesia Number 21 of 2010 concerning Labour Inspection.

DECIDING:

To Stipulate:

**THE REGULATION OF THE MINISTER OF MANPOWER AND
TRANSMIGRATION OF THE REPUBLIC OF INDONESIA CONCERNING
THE LABOUR INSPECTION COMMITTEE.**

**CHAPTER I
GENERAL PROVISIONS
Article 1**

Under this Ministerial 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. A Labour Inspection Official hereinafter called a Labour Inspector is a civil servant appointed and assigned the function and position of Labour Inspector in accordance with the laws and regulations.
3. The Labour Inspection Committee is a non-structural institution that consist of elements from government, trade union, employers' organization, and/or other stakeholders who are considered necessary for strengthening the labour inspection system.
4. A trade union/labour union is an organization that comes from, is established by and for either enterprise-bound or enterprise-free workers/labourers, which is free, open, independent, democratic and responsible to fight for, defend and protect the rights and interests of workers/labourers and improve the welfare of workers/labourers and their families.
5. A trade union/labour union federation is a grouping of trade unions/labour unions.
6. A confederation of trade unions/labour unions is a grouping of trade union/labour union federations.
7. An employer is:
 - a. An individual, a partnership, or a legal entity that operates a self-owned enterprise;
 - b. An individual, a partnership, or a legal entity that independently operates a non-self-owned enterprise;
 - c. An individual, a partnership, or a legal entity located in Indonesia and representing an enterprise mentioned under points a and b that is domiciled outside the territory of Indonesia.
8. Director General is the Director General in charge in the field of labour inspection.

9. Minister is the Minister of Manpower and Transmigration.

Article 2

The Labour Inspection Committee is a non-structural institution that consists of the elements from government, trade union, employers' organization, and/or other stakeholders for strengthening the functioning of the labour inspection system without influencing the independence of labour inspectors in the process of labour law enforcement.

Article 3

The Labour Inspection Committee shall monitor, give inputs, suggestions, and consideration to the Minister concerning the functioning of the labour inspection system.

CHAPTER II

TASK

Article 4

Labour Inspection Committee shall have the following tasks:

- a. Provide input to the Minister in the formulation and determination of labour inspection policy;
- b. Collect and analyse data as the source of providing input related to the development of human resources and improvement of labour inspection performance;
- c. Provide suggestions and consideration for ensuring independent and professional labour inspectors;
- d. Alert the labour inspection unit of any violation of labour laws and regulations.

CHAPTER III

POSITION AND MEMBERSHIP

Part One

Position

Article 5

- (1) The Labour Inspection Committee resides in the Capital city of the Republic of Indonesia.
- (2) The Labour Inspection Committee shall be established by and responsible to the Minister.

Part Two

Membership

Article 6

- (1) Membership of Labour Inspection Committee shall consist of representatives of government, employers' organization, trade union/labour union, and other any other party deemed necessary.
- (2) The membership of Labour Inspection Committee shall not exceed 19 (nineteen) members, with the membership structure as follow:
 - a. Chairperson;
 - b. Vice chairperson;
 - c. Secretary; and
 - d. Member.
- (3) The term of membership on the Labour Inspection Committee shall be for 2 (two) years with the possibility of reappointment for 1 (one) term.
- (4) The membership structure of the Labour Inspection Committee shall be determined by the Director General.

Article 7

Mechanisms and work procedures of the Labour Inspection Committee shall be further regulated by the Director General.

Article 8

- (1) The Labour Inspection Committee shall hold a meeting at least once every three months or as deemed necessary.
- (2) In such meetings foreseen under paragraph (1), the Labour Inspection Committee may invite the leaders of another institution and/or other relevant party.

CHAPTER IV REPORTING

Article 9

The Labour Inspection Committee shall submit a regular report once every 6 (six) months and/or whenever deemed necessary, and submit final report at the end of the office period to the Minister.

CHAPTER V CLOSING

Article 10

This Ministerial Regulation 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 20 April 2012

Transmigration

Minister of Manpower and

Republic of Indonesia

Drs. H.A.MUHAIMIN ISKANDAR,

M.Si.

Promulgated in Jakarta
On 20 April 2012

Minister of Law and Human Rights
Republic of Indonesia

AMIR SYAMSUDIN

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