



ARMA Update 22 April 2022

(English Version)

Permenkumham 6 Tahun 2022: Implementation of Apostille Services in Indonesia

General Overview

On 5 January 2021, the Government of Indonesia issued Presidential Regulation No. 2 of 2021 concerning Ratification of Convention Abolishing The Requirement of Legalisation for Foreign Public Documents or Apostille Convention ("**PR 2/2021**").

To execute international agreements, a diplomatic legalization is needed from foreign documents that are public documents, such as authenticity of signatures, signatory capacity, and the identity of seals or stamps that are affixed. The Apostille Convention tries to eliminate these conditions so that the process of legalization on public documents is simpler.

As a form of implementation of the Apostille Convention, the Government of Indonesia further published the Minister of Law and Human Rights Regulation No. 6 of 2022 of Apostille Legalization Services in Public Documents ("**MLHR Reg 6/2022**") which regulates the technical instructions of Apostille services in Indonesia, considering Indonesia is one of the countries that participated in ratifying the convention.

Document Coverage

Apostille applies to documents published in the territory of Indonesia and will be used in other countries. The documents in question include:

- a. Documents originating from an authority or official relating to the trial or tribunal of the state, including those from the public prosecutor, court clerks, or Bailiff;
- b. Administrative documents;
- c. Documents issued by the notary; and
- d. Official certificates are attached to documents signed by individuals in the authority of the world, such as certificates that record the registration of a document, or which records certain validity periods of a document on a certain date, and the ratification of the signature by officials and notaries.

Excluded Documents

As for the excluded documents, including:

- a. Documents signed by diplomatic or consular officials;
- b. Administrative documents directly related to commercial or customs activities; and



- c. Documents published by the Prosecutor's Office as a prosecution institution as stated in Presidential Regulation No. 2 of 2021 concerning Ratification of Convention Abolishing The Requirement of Legalisation for Foreign Public Documents

Submission of Apostille Convention

Apostille can be applied by the Applicant, both individuals and legal entities, or with the power of attorneys electronically by filling out the form on the official website of the Directorate General of General Law Administration.

The form submitted with at least contains the following information:

- a. The identity of the applicant;
- b. Identity of the recipient, if the request is submitted through the power of attorneys;
- c. Destination countries where the document will be used;
- d. The type of document that will be applied for apostille;
- e. The name and document number and the name of the owner listed on the document that will be applied for apostille;
- f. The name of the official signed the document; and
- g. The name of the agency publishes the document.

For more information, please contact Aryo Baskoro (aryo.baskoro@arma-law.com).

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