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ARMA UPDATES

Shipping & Maritime Update



Protection for Migrant Commercial Vessel Crew and Migrant Fishermen Crew

The Indonesian Migrant Workers Protection Agency (*Badan Perlindungan Pekerja Migran Indonesia* or "**BP2MI**") is the leading authority responsible for implementing policies related to the assignment and protection of migrant workers in a coordinated and integrated enforcement including to migrant workers of commercial vessel and fishing vessel.

BP2MI has recently issued the Head of BP2MI Circular Letter No. 1 of 2023 regarding the Assignment and Protection Services for Migrant Commercial Vessel Crew and Migrant Fishermen Crew ("**BP2MI CL 1/2023**"), which stipulates several requirements to ensure the protection of migrant worker for foreign flagged commercial vessel and fishing vessel.

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Manning Agency Permit

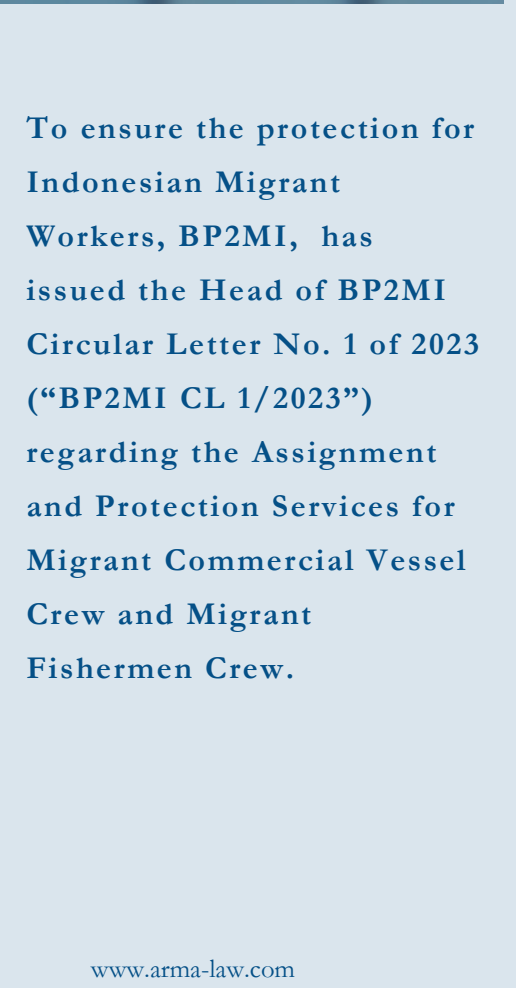
One of the main scope of BP2MI CL 1/2023 is to make sure that the Manning Agencies register business license for the recruitment and assignment of crew members (*Surat Izin Usaha Perekrutan dan Penempatan Awak Kapal* or “**SIUPPAK**”) and the services for the assignment of the migrant worker for foreign flagged commercial and fishing vessel crew.

Requirement for registration of Manning Agencies to obtain SIUPPAK are as following:

- Manning Agencies to register through the computerized system called *Sistem Komputerisasi Pelindungan Pekerja Migran Indonesia* or “**Sisko P2MI**”.
- The registration process as mentioned in point (a) must be carried out by Manning Agencies that are planning to assign Indonesian crews on foreign commercial and fishing vessels, with following requirements:
 - Possess a valid SIUPPAK issued by the Ministry of Transportation (“**MoT**”).
 - Agency Agreement between the Manning Agency and the employer or Principal (ship-owner or operator).
 - Valid Tax Identification Number (**NPWP**).
 - Copy of National Identity Card (*Kartu Tanda Penduduk*) of the Person in Charge (President Director) of the Manning Agency.
 - Manning Agency’s Certificate of Domicile (*Surat Keterangan Domisili*).
 - Organizational structure and management.
 - Data on the assignment of migrant fishing crew and/or commercial vessel crew, including the names of the vessels, for the last 2 (two) years.

Pre-Departure Procedure

BP2MI CL 1/2023 also ensure the assignment and protection of Indonesian migrant for foreign commercial vessel fishing vessel, whereby Manning Agency must adhere to following procedure :



To ensure the protection for Indonesian Migrant Workers, BP2MI, has issued the Head of BP2MI Circular Letter No. 1 of 2023 (“BP2MI CL 1/2023”) regarding the Assignment and Protection Services for Migrant Commercial Vessel Crew and Migrant Fishermen Crew.

- Submission of Pre-Departure Orientation:
 - Indonesian Migrant Worker Placement Company (*Perusahaan Penempatan Pekerja Migran Indonesia* or “**P3MI**”), Manning Agency, and individual Migrant Commercial Vessel Crew must apply for Pre-Departure Orientation (*Orientasi Pra-Pemberangkatan* or “**OPP**”) to the Head of BP3MI.
 - P3MI and Manning Agency select the migrant commercial vessel crew and migrant fishing vessel crew for the OPP process.
- Manning Agencies must fulfill the payment of their Social Security Membership (**BPJS**).

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Footnote:

- Manning Agencies register business license for the recruitment and assignment of crew members: Manning Agency may possess the recruitment and assignment of crew members business license by acquiring the Standard Classification of Business (*Klasifikasi Lapangan Baku Lapangan Usaha Indonesia* or “**KBLI**”) No. 78102 regarding the selection and assignment of migrant workers business activity.
- Surat Izin Usaha Perekrutan dan Penempatan Awak Kapal (“**SIUPPAK**”): Pursuant to the Minister of Transportation Regulation No. 39 of 2021 regarding the Commencement of Related Service Business with Transport in The Waters.
- Sistem Komputerisasi Pelindungan Pekerja Migran Indonesia or “**Sisko P2MI**”: The data collection is being conducted on manning agencies responsible for deploying migrant seafarers for commercial vessels and migrant fishermen.