PRESIDEN
REPUBLIK INDONESIA

REGULATION OF THE PRESIDENT OF THE REPUBLIC OF INDONESIA
NUMBER 21 OF 2010
ON
LABOUR INSPECTION
BY THE BLESSINGS OF ALMIGHTY GOD
THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering : that in order to implement Article 178 section (3) of Law Number 13 of 2003 on Manpower, it is necessary to issue the Presidential Regulation on Labour Inspection;

Observing :

1. Article 4 section (1) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 3 of 1951 on Statement of Enactment of Law on Labour Inspection Number 23 of 1948 from the Republic of Indonesia for All Indonesians (State Gazette of the Republic of Indonesia of 1951 Number 4);
3. Law Number 13 of 2003 on Manpower (State Gazette of the Republic of Indonesia of 2003 Number 39, Supplement to the State Gazette of the Republic of Indonesia Number 4279);
4. Law Number 21 of 2003 on 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);
5. Law Number 32 of 2004 on Local Government (State Gazette of the Republic of Indonesia of 2004 Number 125, Supplement to the State Gazette of the Republic of

Indonesia Number 4437) as amended several times and last by Law Number 12 of 2008 (State Gazette of the Republic of Indonesia of 2008 Number 59, Supplement to the State Gazette of the Republic of Indonesia Number 4844);

6. Government Regulation Number 79 of 2005 on Guideline for the Fostering and Supervision of Local Government Administration (State Gazette of the Republic of Indonesia of 2005 Number 165, Supplement to the State Gazette of the Republic of Indonesia Number 4593);
7. Government Regulation Number 38 of 2007 on Division of Government Affairs between the Government, Provincial Government, and Regency/Municipal Government (State Gazette of the Republic of Indonesia of 2007 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 4741);
8. Government Regulation Number 7 of 2008 on Deconcentration and Assistance Task (State Gazette of the Republic of Indonesia of 2008 Number 20, Supplement to the State Gazette of the Republic of Indonesia Number 4816).

HAS DECIDED:

To issue : PRESIDENTIAL REGULATION ON LABOUR INSPECTION.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Presidential Regulation:

1. Labour Inspection means an activity to inspect and enforce the implementation of the legislation in the field of manpower.
2. Work unit of labour inspection in the institution with the scope of task and responsibility of the manpower within the Central Government means the work unit of labour inspection in the Ministry that carries out the manpower affairs in accordance with the provision of legislation.

3. Work unit of labour inspection in the institution with the scope of task and responsibility of the manpower within the Provincial Government means work unit of labour inspection within the Provincial Task Force that carries out the manpower affairs in accordance with the provision of legislation.
4. Work unit of labour inspection in the institution with the scope of task and responsibility of the manpower within the Regency/Municipal Government means work unit of labour inspection within the Regency/Municipal Task Force that carries out the manpower affairs in accordance with the provision of legislation.
5. Labour Inspection Officer hereinafter referred to as Labour Inspector means a Civil Servant appointed and assigned in the functional position as Labour Inspection in accordance with the provision of legislation.
6. Minister means the Minister responsible for manpower affairs.

Article 2

Labour inspection is 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 is 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 Regency/Municipal Government.
(2) To carry out the labour inspection as referred to in section (1), functional positions of labour inspection are

established 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 Regency/Municipal Government.

(3) The provisions regarding the establishment of the work unit of labour inspection as referred to in section (1) and section (2) are regulated in accordance with the provision of legislation.

Article 4

Work unit of labour inspection in the institution with scope of task and responsibility in the field of manpower within the Central Government, Provincial Government, and Regency/Municipal Government in carrying out the labour inspection supported by means and infrastructure in accordance with the provision of legislation.

Article 5

(1) Labour inspection by work unit of labour inspection in the institution with scope of task and responsibility in the field of manpower within the Central Government, Provincial Government, and Regency/Municipal Government, is carried out in coordination.

(2) The coordination between the work unit of labour inspection as referred to in section(1) is carried out through:

a. Coordination at the National Level;

b. Coordination at the Provincial Level.

Article 6

(1) Work unit of labour inspection in the institution with scope of task and responsibility in the field of manpower 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 field of

manpower within the Provincial Government and Regency/Municipal Government at least once in a year.

(2) In the Coordination Meeting at the National level as referred to in section (1), the work unit of labour inspection in the institution with scope of task and responsibility in the field of manpower 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 referred to in Article 6 becomes 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 field of manpower 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 field of manpower within the Regency/Municipal Government in the relevant Province at least once in a year.

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

Article 9

(1) The result of the Coordination Meeting at the Provincial Level as referred to in Article 8 becomes 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 field of manpower within the Regency/Municipal Government.

(2) In order to implement the labour inspection as referred to in section (1), the work unit of labour inspection in the institution with scope of task and responsibility in the field of manpower within the Regency/Municipal Government may undertake operational technical meeting.

Article 10

(1) The results of labour inspection implementation at the Regency/Municipal level are reported to the Regents/Mayors.

(2) The Regents/Mayors report the results of the labour inspection implementation in their regions to the Governor.

Article 11

(1) The results of labour inspection implementation at the Provincial level are reported to the Governors.

(2) The Governors report the results of the labour inspection implementation in their regions to the Minister with a copy to Minister of Home Affairs.

Article 12

Minister reports the result of labour inspection implementation nationally to the President.

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 field of manpower within the Central Government, Provincial Government, and Regency/Municipal Government and the procedure of reporting of the labour inspection are regulated by the Minister by taking into account the provisions of the legislation.

CHAPTER III
LABOUR INSPECTORS

Article 14

(1) The labour inspection is carried out by the Labour Inspector who has competency and independency.

(2) The Labour Inspector as referred to in section (1) is appointed in accordance with the provision of legislation.

Article 15

(1) In order to fulfill the needs of the Labour Inspector, availability of the Labour Inspection is prepared.

(2) The preparation of the availability of the Labour Inspection as referred to in section (1) is 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 referred to in section (1) and section (2) is implemented in accordance with the provision of legislation.

Article 16

(1) Minister determines the Need Plan of the Labour Inspector nationally.

(2) The determination of the Need Plan of the Labour Inspector nationally as referred to in section (1) is 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 provisions regarding the Need Plan of the Labour Inspector as referred to in section (1) and section (2) are regulated by the Minister.

Article 17

(1) In order to achieve effective and successful Labour Inspector, quality improvement of the Labour Inspector is carried out.

(2) The quality improvement of the Labour Inspector as referred to in section (1) is implemented through education and training in accordance with the provision of legislation.

Article 18

The institution with scope of task and responsibility in the field of manpower within the Central Government conducts the development of the functional Labour Inspector in accordance with the provision of legislation.

Article 19

(1) Labour Inspectors have a duty to conduct labour inspection.

(2) In addition to the duty as referred to in section (1), the Labour Inspectors have the authority as Civil Servant Investigators in accordance with the provision of legislation.

Article 20

In performing their duty and authority, the Labour Inspectors are obligated to:

a. keep all materials confidential that according to its nature should be confidential;

b. do not misuse their authority.

Article 21

The provisions regarding the rights, obligations, duties, and authorities of the Labour Inspector are implemented in accordance with the provision of legislation.

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 field of manpower

within the Central Government, Provincial Government, and Regency/Municipal Government conducts the labour inspection in accordance with its authority of which the implementation is carried out by the Labour Inspector.

(2) The procedure of labour inspection as referred to in section (1) is carried out in accordance with the legislation.

Article 23

(1) In the event that there is an issue to the implementation of the labour inspection in the Provincial and/or Regency/Municipal level that has impact at the national or 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 takes necessary steps to solve the labour inspection issue.

(2) The implementation of the provision as referred to in section (1) is conducted in coordination with the institution with scope of task and responsibility in the manpower field within the Provincial Government and Regency/Municipal Government where the problem occurs.

CHAPTER V
LABOUR INSPECTION DEVELOPMENT

Article 24

(1) The work unit of labour inspection in the institution with scope of task and responsibility in the field of manpower within the Central Government develops labour inspection to the work unit of labour inspection in the institution with scope of task and responsibility in the field of manpower within the Provincial Government and Regency/Municipal Government.

(2) In order to develop the work unit of labour inspection in the institution with scope of task and responsibility in the

field of manpower within the Regency/Municipal Government as referred to in section (1), Minister may delegate the implementation to the Governor in accordance with the provision of legislation.

Article 25

The labour inspection development as referred to 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 field of manpower within the Provincial Government, and Regency/Municipal Government in conducting the labour inspection as its authority.

Article 26

The labour inspection development as referred to in Article 25 includes the area of:

a. institutional affairs;
b. human resources of the Labour Inspector;
c. means and infrastructure;
d. funding;
e. administration;
f. information system of labour inspection.

Article 27

The labour inspection development as referred to in Article 26 is conducted through:

a. mentoring;
b. consultation;
c. counseling;
d. supervision and monitoring;
e. dissemination;
f. education and training;
g. accompaniment of the labour inspection implementation;
h. other activities for development purposes.

Article 28

Further provisions regarding the labour inspection development as referred to in Article 24, Article 25, Article 26,

and Article 27, are regulated by taking into account the provisions of the legislation.

Article 29

(1) In the event that the work unit of labour inspection in the institution with scope of task and responsibility in the field of manpower within the Provincial Government and Regency/Municipal Government do not have capability yet after the labour inspection development is conducted, then temporarily the labour inspection is conducted by the work unit of labour inspection in the institution with scope of task and responsibility in the field of manpower within the Central Government.

(2) The work unit of labour inspection in the institution with scope of task and responsibility in the field of manpower within the Central Government re-hands over the labour inspection matter as referred to in section (1), if the work unit of labour inspection in the institution with scope of task and responsibility in the field of manpower within the Provincial Government and Regency/Municipal Government has capability to conduct labour inspection.

(3) The implementation of the provision as referred to in section (1) and section (2) is conducted in accordance with the provision of legislation.

CHAPTER VI

INFORMATION NETWORK OF LABOUR INSPSECTION

Article 30

In the framework of labour inspection, information network of labour inspection is established as an integral part of information system of labour inspection.

Article 31

Information network of labour inspection has the function of:

a. means to serve information;

b. improving publication and understanding of the knowledge in the field of labour inspection.

Article 32

(1) Information network of the labour inspection consists of:
   a. network centre;
   b. network member.

(2) The network centre as referred to in section (1) point a is a work unit of labour inspection in the institution with scope of task and responsibility in the field of manpower within the Central Government.

(3) The network member as referred to in section (1) point 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 field of manpower within the Regency/Municipal Government.

Article 33

The work unit of labour inspection in the institution with scope of task and responsibility in the field of manpower within the Provincial Government acts as the network centre in the Province with the network member of the work unit of labour inspection in the institution with scope of task and responsibility in the field of manpower within the Regency/Municipal Government.

Article 34

The provisions regarding the form, content, and management of data and information in the information network of the labour inspection are regulated by the Minister.

Article 35

(1) The work unit of labour inspection in the institution with scope of task and responsibility in the field of

manpower within the Central Government as the network centre has duty to conduct development, development, monitoring to the information network member of labour inspection.

(2) The implementation of the provision as referred to in section (1) is further regulated by the Minister.

Article 36

(1) Other parties may be the information network members of the labour inspection.

(2) Further provisions regarding the requirement and procedure to be information network members of labour inspection as referred to in section (1) are regulated by the Minister.

Article 37

All costs required for the implementation of the information network of labour inspection are borne to the network centre budget and each of information network member of labour inspection.

CHAPTER VII

MISCELLANEOUS PROVISIONS

Article 38

(1) For purpose of labour inspection, the Minister may undertake:

a. international cooperation in the field of labour inspection;

b. granting of award; and

c. development of labour inspection system.

(2) The implementation of the provision as referred to in section (1) is further regulated by the Minister.

CHAPTER VIII
CLOSING PROVISION

Article 39

This Presidential Regulation comes into force on the date of its issuance.

Issued in Jakarta
on 19 March 2010
PRESIDENT OF THE REPUBLIC OF INDONESIA,

signed

DR. H. SUSILO BAMBANG YUDHOYONO

Jakarta, 6 December 2018
Has been translated as an Official Translation
on behalf of Minister of Law and Human Rights
of the Republic of Indonesia
DIRECTOR GENERAL OF LEGISLATION,

WIDODO EKATJAHJANA