

THE EMPLOYMENT OF FOREIGNERS IN INDONESIA

This paper discusses the legal framework governing the employment of foreigners in Indonesia as well as the recruitment of Indonesians for employment abroad. It also sets out in detail the necessary procedures for obtaining a work permit.

FOR many years, it has been the policy of the Indonesian government to restrict the employment of foreigners in Indonesia. In order to implement this policy, the Employment of Foreigners Act¹ prohibits employment of foreign nationals without written permission from the Minister of Manpower (or his designated officer). The 1968 Instruction of the President² also requires every foreign national who works in Indonesia, including members of the free professions, to possess a work permit from the Minister of Manpower.

However, where Indonesian nationals are not available to fill certain positions, the Foreign Investment Law of 1967³ specifically provides that companies established in Indonesia under the Law shall be permitted to hire foreign nationals. At the same time, this Foreign Investment Law requires foreign investment companies to train Indonesian nationals to fill employment initially taken by foreigners. For this purpose, a time-table for replacing alien employees with Indonesian citizens is required to be incorporated in the company's manpower plan.

In 1985, there were 8,627 registered foreign employees in Indonesia, of whom 7,702 were categorized as "technical" personnel and 925 as "management" personnel. The mining sector alone employed 41% of the total number of foreign employees.⁴

For ease of discussion, this paper is divided into two parts. Part I discusses the most important restrictions on the employment of foreigners in Indonesia. Part II, on the other hand, highlights the regulations applicable to the employment of Indonesian nationals abroad.

¹ Law No. 3/1958 dated January 19, 1958; *re penempatan tenaga asing*, Law No. 8/1957; I *Himpunan Peraturan2 Tenaga Kerdja* (3rd ed), 125.

² Presidential Instruction No. 10/1968 dated March 27, 1968; *re pengawasan terhadap kegiatan warga negara asing yang melakukan pekerjaan bebas di Indonesia*; I *Himpunan Peraturan2 Tenaga Kerdja* (3rd ed), 176.

³ Law No. 1/1967 dated January 10, 1967; *re penanaman modal asing*, Law No. 1/1967.

⁴ Business News, 17 January, 1986.

I. THE LEGAL RESTRICTIONS ON THE EMPLOYMENT OF FOREIGNERS

The present legal framework for employing foreigners in Indonesia is set forth in Presidential Decree No. 23 of 1974.⁵ This Decree directs the Minister of Manpower to determine which types of employment shall be entirely open to foreigners, which shall be open to foreigners for limited periods of time, and which shall be closed to foreigners. Subject to these restrictions, all companies in Indonesia, whether organized pursuant to the Foreign Investment Law, the Domestic Investment Law or otherwise, may employ alien nationals, provided permission in the form of a work permit is obtained from the Minister of Manpower.

Pursuant to Presidential Decree No. 23, special regulations restricting the employment of foreigners have been issued for various sectors and subsectors. These include trade,⁶ tourism,⁷ fisheries,⁸ animal husbandry,⁹ food and medicines,¹⁰ chemical industry,¹¹ plantations,¹² communications (air, sea, land, post and telecommunications),¹³ public works,¹⁴ power,¹⁵ miscellaneous industries,¹⁶ medical

⁵ Presidential Decree No. 23/1974 dated April 18, 1974, 22 *Warta Cafi* 101, (3 May, 1974).

⁶ Min. Manpower Decree No. Kep. 2047/Men/1975 dated 10 September 1975, 23 *Warta Cafi* 267, (17 November, 1975); Dir. Gens. for Domestic Trade, Manpower Development and Immigration Joint Decree Nos. 05/DJDAGRI/Kep/10/1975, 70/SK/DJ.I/1975 and 93/VIS/SS/1975 dated 9 October 1975, 23 *Warta Cafi* 269 (19 November, 1975); Mins. for Trade, Manpower and Justice Joint Decree Nos. 46A/Kpb/II/80, Kep-21/Men/1980 and M. Um-01.07 dated 12 February 1980; 28 *Warta Cafi* 60, (12 March 1980); Min. Manpower Decree No. Kep-682/MEN/85 dated 20 July 1985, 33 *Warta Cafi* 229 (8 October, 1985).

⁷ Min. Manpower Decree No. Kep-1066/Men/1976 dated 11 September 1976, 25 *Warta Cafi* 138, (15 June, 1977); Dir. Gens. for Tourism, Manpower Development and Immigration Joint Decree Nos. Kep-20/U/IX/1976, 39/SK/DD/1976 and 153/I/VIS/SE/1976 dated 15 September 1976, 25 *Warta Cafi* 140, (17 June, 1977).

⁸ Min. Manpower Decree No. Kep-92/Men/78 dated 21 August 1978, 27 *Warta Cafi* 13 (16 January, 1979), Dir. Gens. for Fisheries, Manpower Development and Immigration Joint Decree Nos. H.II/2/8/3/78, 68/DB/78, 1036/Vis/Se/II dated October 16, 1978, *Warta Cafi*, (Special Edition), *Regulations on Employment of Foreign Personnel in Indonesia*, Part II, (May 1982).

⁹ Min. Manpower Decree No. Kep.-97/Men/78 dated 23 September 1978, 27 *Warta Cafi* 15 (18 January, 1978); Dir. Gens for Animal Husbandry, Manpower Development and Immigration Joint Decree Nos. 288/Kpts/Djp/Deptan/78, 80/DB/78, 1038/Vis/Se/II dated October 21, 1978; and Dir. Gens for Animal Husbandry, Manpower Development and Immigration Joint Decree No. J. 289/Kpts/DJP/Depton/78, No. 80/DB/78, 1038/Vis/Se/II dated October 21, 1978, *Warta Cafi* (Special Edition), *Regulations on Employment of Foreign Personnel in Indonesia*, Part I, (May 1982).

¹⁰ Min. Manpower Decree No. Kep-98/Men/78 dated 23 September 1978; 27 *Warta Cafi* 17, (20 January, 1979); Dir. Gens for Food and Medicine, Manpower Development and Immigration Joint Decree Nos. 375/A/SK/1978, Kep. 13/DS/1979, 042/Sek/VII/1979 dated February 17, 1979, *Warta Cafi* (Special Edition), Part I, (May 1982).

¹¹ Min. Manpower Decree No. Kep-99/Men/78 dated 4 October 1978, 27 *Warta Cafi* 19, (23 January, 1979).

¹² Min. Manpower Decree No. Kep. 33/Men/1980 dated 25 February 1980, 29 *Warta Cafi* 50, (28 February, 1981).

¹³ Min. Manpower Decree No. Kep-55/Men/1981 dated 21 April 1981, IV *Hukum Perburuhan di Indonesia* 1620.

¹⁴ Min. Manpower Decree No. Kep-03/Men/1982.

¹⁵ Min. Manpower Decree No. Kep-98/Men/1982.

¹⁶ Min. Manpower Decree No. Kep-161/Men/1982 dated 7 September 1981; *Hukum Perburuhan di Indonesia* Vol. 4, pp. 1643-72.

services,¹⁷ general mining,¹⁸ forestry,¹⁹ oil and gas²⁰ and basic metals industry.²¹

Typically, these regulations specify for every relevant sector or subsector as to the type of job that is open to foreigners and, if open, for how long. These regulations also require the employer to designate Indonesian counterparts for each job being filled by a foreigner. It should also be noted that a "compulsory education and training contribution" (IWPL levy) of US\$400 per month per foreign employee is payable to the Department of Manpower, for every foreigner permitted by the Department to be employed beyond the maximum time periods fixed by the regulations.²² Recently, however, in conjunction with a series of steps designed to encourage further foreign capital investment in Indonesia, the IMPL levy has been abolished for foreign and domestic capital investment companies.²³

All persons in Indonesia who employ, or desire to employ, foreign nationals are also obliged to submit to the Department of Manpower a "Manpower Plan" that identifies, *inter alia*, the jobs to be filled by foreigners, the date and expected duration of employment and the steps being taken to train Indonesian nationals to replace foreigners.²⁴ The Manpower Plan should conform to the special restrictions described above on the employment of foreigners in particular sectors and must be approved by the Department. The Department is not supposed to issue work permits for foreign nationals, except in accordance with the employer's approved Manpower Plan. However, once a Manpower Plan has been approved, work permits to allow for the implementation of the Plan will be issued as a matter of course. The employer must file semi-annual reports with the Department regarding implementation and modifications of the Plan.

A. *Self-employed Foreigners*

Self-employed foreign nationals in Indonesia, like foreign national employees, are required to obtain a work permit from the Department of Manpower. They are also required to obtain an operating permit from the relevant ministry having jurisdiction over the business

¹⁷ Min. Manpower Decree No. Kep-249/Men/1 982.

¹⁸ Min. Manpower Decree No. Kep-61 /Men/1983 dated 24 February 1983, 31 *Warta Cafi* 68, (23 Mar. 1983); Dir. Gens. for General Mining, Manpower Development and Immigration Joint Decree Nos. 08/SK.DU/1983, Kep. 14/DB/1983 and F. 151-IZ. 01.10-83 dated 28 February 1983, 31 *Warta Cafi* 140, (20 June 1983).

¹⁹ Min. Manpower Decree No. Kep-88/Men/1983.

²⁰ Min. Manpower Decree No. Kep 57/Men/1984 dated 24 March 1984, 32 *Warta Cafi* 101, (28 April, 1984).

²¹ Min. Manpower Decree No. Kep-27/Men/1984 dated 25 February 1984, 32 *Warta Cafi* 208-213, (8-14 Sept. 1984).

²² Min. Manpower Decree No. Kep-90/Men/1983 dated 16 March 1983, *re Kenaikan Wajib Pendidikan dan Latihan, Hukum Perburuhan di Indonesia* Vol. 2, pp. 709-710.

²³ Min. Manpower Decree No. Kep-350/Men/85 dated 11 April 1985, *re pencabutan keputusan pelaksanaan iuran wajib pendidikan dan latihan*, 33 *Warta Cafi* 126, (1 June, 1985).

²⁴ Min. Manpower Regulation No. Per-04/Men/1984 dated 1 September 1984, *re rencana penggunaan tenaga kerja warga negara asing pendatang*, 32 *Warta Cafi* 216, (18 September, 1984); Min. Manpower Decree No. Kep-105/Men/85 dated 7 February 1985, *re penunjukan ketua BKPM untuk mengesahkan rencana penggunaan tenaga kerja dalam rangka penanaman modal*, 33 *Warta Cafi* 78, (3 April 1985).

activity involved.²⁵ In practice, the Department of Manpower will not issue a work permit unless the ministry with jurisdiction over the relevant business approves. Since the Government's stated policy is to favour Indonesian nationals over foreigners, it follows that few work permits are issued to self-employed foreigners.

B. Procedures for Obtaining Work Permit

In order for a foreigner to work and reside in Indonesia, it is necessary for him to obtain the requisite visa and work permit, and to register with the appropriate authorities. The procedures involved can be relatively expensive and time consuming, and may vary somewhat from sector to sector, or even from individual to individual; however, simplified procedures have recently been promulgated for the employment of foreigners by foreign investment companies.²⁶

Subject to renewal, the normal duration of a work permit is twelve months. However, there are also short-term non-renewable work permits for up to three months which can be obtained for temporary employees. Following is a description of the typical procedure for obtaining a twelve month work permit.

Initially, the Indonesian company by whom the foreigner is to be employed must submit a written application to the Director General having jurisdiction over the sector in which the foreigner will be working requesting a letter of recommendation (addressed to the Department of Manpower and Directorate General of Immigration) to employ such foreigner. Most Directorates have special application forms for this purpose. In the case of foreign investment companies, the application may be made to the Investment Coordinating Board (hereinafter referred to as the BKPM) rather than to the relevant Director General, on a special form provided by BKPM. Usually, the application must set forth the grounds justifying the employment of a foreigner, together with information regarding such matters as the foreigner's age, birthplace and nationality, and accompanying family members. The application must usually be signed by the foreigner on whose behalf it is being made and, depending on the sector involved, may have to be accompanied by various additional documents such as letters of reference.

Once the Director General's (or BKPM's) letter of recommendation is successfully obtained, the company must then apply to the Foreign Employment Section of the Department of Manpower for a temporary work permit. Application is made on special forms supplied by the Department of Manpower, and should be accompanied by a cover letter from the company and a copy of the Director General's (BKPM's) recommendation.

After the temporary work permit is obtained, the company then applies to the Directorate General of Immigration in Jakarta for the foreigner's semi-permanent stay visa. This application must also be

²⁵ *Supra*, note 2.

²⁶ See BKPM Vice Chairman Letter NO. 502/A.2/1985 dated 25 April 1985, *re tindak lanjut Inpres No. 4 Tahun 1985 dan penyederhanaan tatacara permohonan izin kerja tenaga asing* (IKTA), 33 *Warta Cafi* 167, (24 July, 1985).

accompanied by a copy of the relevant Director General's (or BKPM's) recommendation.

Simultaneously with its application to the relevant Director General, the company should also have written a letter of introduction for the foreigner, addressed to the Indonesian Embassy or Consular Office overseas closest to the foreigner's place of residence, stating the reasons for such foreigner's employment, the proposed length of employment, and pertinent biographical information regarding the foreigner and those members of his family who will accompany him. This letter is submitted by the foreigner to the relevant Embassy or Consular Office together with a personal application for a semi-permanent stay visa. The application is in addition to that filed by the company in Jakarta.

When the Directorate General of Immigration in Jakarta has approved the visa application, it will notify the relevant Indonesian Embassy or Consular Office overseas, and the latter then issues the visa by inscribing the appropriate stamps in the foreigner's passport. The semi-permanent stay visa so issued is good for one journey to Indonesia within four to six months of issuance (the time varies depending on the country of issue) and is valid for a stay of up to one year.

Following his arrival in Indonesia, the foreigner must within seventy-two hours report to the local Immigration office to obtain his Provisional Entry Permit Card (*Kartu Izin Masuk Samentara K.I.M.S.*), details of which are also entered in his passport. Normally, he must also at this time arrange payment of the Foreigner's Tax, which may be assessed up to three years in advance. Immediately thereafter, he must also report to the Department of Manpower, Directorate General of Manpower Supply (in the relevant local Manpower office if the company is located outside Jakarta) to obtain a permanent Work Permit in exchange for the temporary work permit previously issued. The permanent work permit is ordinarily valid for one year.

Finally, depending on the location of his residence, the foreigner must also comply with various local registration requirements. For example, in all regions he must appear at the local police district headquarters with his Provisional Entry Permit and obtain a Certificate of Registration (*Surat Tanda Melaysor Diri* — S.T.M.D.).

C. *Employment Agreements*

In principle, employers and employees are free under Indonesian law to enter into contracts of employment regarding terms and conditions of employment, subject to the general Civil Code provisions respecting contracts and the special Civil Code provisions respecting contracts of employment in particular. However, in practice, the freedom to contract for employment has been largely circumscribed by numerous administrative regulations applicable to virtually every aspect of the employment relationship, including regulations requiring most employers to promulgate, subject to Department of Manpower

approval, a so-called Company Regulation²⁷ containing detailed terms and conditions governing the employment relationship. A Company Regulation (or a collective labor agreement negotiated by a trade union to replace a Company Regulation) supersedes an individual employment agreement to the extent of any contrary terms and conditions.

The Company Regulation, and the special administrative rules governing such aspects of employment as working hours, insurance and termination apply to foreign employees as well as to Indonesian employees. Thus, a foreign company that employs a foreign national in Indonesia may not terminate the foreigner's employment except in accordance with Indonesian regulations governing the termination of employment.

D. Company Regulation

Every employer in Indonesia that employs twenty-five or more workers is required to promulgate a "Company Regulation" stating in detail conditions of employment and rules of conduct and discipline.²⁸ Such Company Regulation must be approved by the Department of Manpower and, once approved, is valid and binding upon both employer and employee for a period of two years. Changes may be made in the interim, but require Department of Manpower approval. Both foreign and Indonesian employees are subject to the Regulation.

A typical Company Regulation covers such areas as general responsibilities of workers, hiring and probationary practices, hours, vacations and holidays, sick leave, salaries and benefits, workman's compensation, social security, work safety and termination of employment. Many of these terms are also the subject of separate governmental regulations, and the Company Regulation is not supposed to be inconsistent with these other regulations. Sometimes the Company Regulation will be more favourable to employees than the otherwise applicable governmental regulation (*e.g.* with regard to severance pay).

A copy of the Company Regulation must be given free of charge to each employee and additional copies are supposed to be prominently posted throughout the place of work. Also the contents of the Regulation should be orally notified to the employees by the employer at public meetings witnessed by a representative of the Department of Manpower.

Notwithstanding the existence of a Company Regulation, workers are in principle free at any time to establish a labour union within the company and to request not later than three months prior to the expiration of a Company Regulation that the employer concerned negotiate and conclude a collective labour agreement to supersede such Regulation upon its expiry. Both the union and the collective labour agreement must be registered with, and approved by, the Department of Manpower.²⁹

²⁷ See discussion at Part I, D.

²⁸ Min. Manpower Regulation No. Per-02/Men/1978 dated 3 March 1978, *re peraturan perusahaan dan perundingan pembuatan perjanjian perburuhan*, 26 *Warta Cafi* 72, (28 March, 1978).

²⁹ Law No. 21/1954; Law No. 69/1954.

E. Termination of Employment

One of the most tightly regulated aspects of the employment relationship is the termination of employment. In general, applicable regulations prohibit an employer from terminating any employee's employment, with or without cause, except with the prior approval of the Regional (P4D) or National (P4P) Committee for the Settlement of Labour Disputes.³⁰ The relevant Committee that decide the matter depends on whether the dismissal is deemed massive (ten or more dismissals within one month) or *ad hoc*. Permission to terminate for cause is normally conditioned on the provision of an acceptable severance package. In principle, a permit is needed even where the employee consents to the termination, although in practice the Company Regulation usually specifies a severance package for voluntary termination, and as long as the consensual termination is effected in accordance with the Company Regulation no Committee permit is required.

In the case of termination of employment necessitated by economic factors rather than fault, the Department of Manpower will usually require as a condition of termination that adequate provision be made for retraining and relocation of the employee.

F. Reporting Requirements

All employers that employ ten or more workers in Indonesia, as well as employers of less than ten workers in specified sectors (*e.g.* mining, agriculture, construction and manufacture of combustibles) are obliged to file periodic reports with the Department of Manpower regarding their business and employment practices, on forms prescribed by the Department.³¹ In the case of an employer resident outside Indonesia, the reports can be submitted by an individual or entity (*e.g.* branch office) representing the employer in Indonesia.

Three kinds of reports are required: a Section 6.2 Report within thirty days after the establishment, withdrawal or reopening of a business; an annual Section 6.2 Report; and a Section 8 Report at least thirty days prior to the withdrawal, closing or liquidation of a business.

A Section 6.2 Report contains information *inter alia* respecting name, address and type of business of the employer, capitalization of employer, number and classification of employees (including

³⁰ Law No. 12/1964; Law No. 93/1964; Min. Labour Regulation No. 9/1964 dated 28 September 1964, as amended by Min. Labour Regulation No. 11/1964 dated 18 November 1964; Min. Manpower Letter No. 362/67 dated 8 February 1967; Min. Manpower Decree No. Kep-19/Men/1978 dated 27 January 1978, *re hubungan kerja sebagai akibat pengakhiran kegiatan usaha asing dibidang perdagangan*, 26. *Warta Cafi* 44, (22 February, 1978); Min. Manpower Circular No. 1515/D.D.II/D psjs/73 dated 28 December, 1973.

³¹ Law No. 7/1981, Law No. 39/1981, 29 *Warta Cafi* 192, (19 August, 1981); Min. Manpower Regulation No. 02/Men/1981 dated 5 October 1981, *re tata cara melaporkan tenaga kerja di perusahaan*, 29 *Warta Cafi* 263, (12 November, 1981); Min. Manpower Decree No. Kep. 169/Men/1981 dated 5 October, 1981, *re pentahapan perusahaan yang wajib lapor tenaga kerja*, 29 *Warta Cafi* 263, (12 November, 1981).

nationality), production process (such as whether construction scaffolds and explosive or radioactive materials are used), employee benefit programs, employee training programs, employment hours employee terminations in the first twelve months, and projected employment needs of the business.

A Section 8 Report must include *inter alia* information respecting the reasons for withdrawal, closing or liquidation of the business and the proposed timing, number of employees affected, and proposed severance package.

G. Vacancies

All employers are obliged, prior to hiring for new positions or to filling vacancies, to report to the Department of Manpower on the existence of the employment opportunities to be filled.³² Such vacancy report is supposed to be made at least three days prior to advertising for or filling the vacancy, in a form prescribed by the Department. A separate report should also be made within one day after the position is filled, giving particulars on the new employee. The employer may request the assistance of the Department of Manpower in finding employees to fill vacancies and the Department has authority to intervene in the employee selection process and to assist in selection where multiple applications are made for a particular job.

Where an employer wishes to fill vacancies from a labour pool outside the region of employment, the employer must apply for a special permit from the Department of Manpower and otherwise comply with special regulations governing the internal migration of workers.³³

II. RECRUITMENT OF INDONESIANS FOR EMPLOYMENT ABROAD

Foreigners are prohibited from engaging in the business of recruiting Indonesian workers for employment overseas unless they are licensed by the Department of Manpower.³⁴ Licences can be issued only to limited liability companies with sufficient capital to finance employment of at least 500 workers per year and with sufficient expertise and facilities to engage in such business. In practice licences are issued only to Indonesian companies, which then contract with foreign companies to find Indonesian workers for their overseas operations.

A company abroad desiring to employ Indonesian nationals abroad must apply directly to the Minister of Manpower or through the Indonesian Embassy in the country of employment. The application must include a copy of the letter of appointment from the

32 Presidential Decree 4/1980 dated 12 January 1980, *re wajib lapor lowongan pekerjaan*, 28 *Warta Cafi* 33, (9 February, 1980); Min. Manpower Regulation No. PER-05/Men/1980 dated 24 July 1980, *Hukum Perburuhan di Indonesia* Vol. 1, pp. 66–69; Min. Manpower Decree No. Kep-196/SJ/1980 dated 18 October 1980; *Hukum Perburuhan di Indonesia* Vol. 1, pp. 70–1.

33 Deputy Min. Labor Regulation No. 11/1959 dated 17 November 1959, *Hukum Perburuhan di Indonesia* Vol. 2, pages 734–736. For an example of a permit authorizing the migration of workers, see Min. Manpower Decree No. 168/DB/C/Kpts/1982, 361–25/DB-C-3/1982 dated 5 April 1982, 30 *Warta Cafi* 219 (23 September, 1982).

34 Min. Manpower Regulation No. PER-01/Men/1986 dated 4 January 1986 *re antar kerja antar negara*, 34 *Warta Cafi* 45, (22 February, 1986).

foreign company appointing an Indonesian company as its local recruiting agent, a copy of the cooperation agreement with the recruiting agent identifying the number and types of jobs to be filled, wages and conditions of employment and other rights and duties of the foreign and Indonesian company, and a copy of the proposed form of employment agreement to be entered into between the foreign employer and Indonesian workers to be recruited. The application must be reviewed and approved by the Department of Manpower. In the case of recruitment of local seamen, the Department of Manpower is supposed to coordinate with the Director General of Sea Communications. The local recruiting company is prohibited from taking any fee from local recruits. Indonesians employed abroad are obliged to remit 50% of their salaries to relatives in Indonesia through an Indonesian State Bank.

Indonesia is party to several International Labor Organization Conventions concerning the following matters:

- (a) the equality of treatment for national and foreign workers as regards compensation for accidents;³⁵
- (b) the marking of the weight on heavy packages transported by vessels;³⁶
- (c) the forced or compulsory labour;³⁷
- (d) the employment of women underground in mines of all kinds;³⁸
- (e) the application of the principles of the right to organize and to bargain collectively;³⁹
- (f) the equal remuneration for men and women workers for work of equal value;⁴⁰
- (g) weekly rest in commerce and offices;⁴¹ and
- (h) hygiene in commerce and offices.⁴²

III. CONCLUSION

The above sums up in outline the procedures for obtaining work permits for foreigners to work in Indonesia. It is hoped that the description of the procedures involved would facilitate manpower planning for projects that require skilled personnel that are not available in Indonesia. It should be appreciated that these control measures are designed to contribute to the transfer of technology to Indonesian nationals this being part of Indonesia's overall economic development strategy.

SUDARGO GAUTAMA*
ROBERT N. HORNICK**

³⁵ See Convention No. 19 of 1925, Staats. 53/1929.

³⁶ See Convention No. 29 of 1929, Staats. 117/1933.

³⁷ See Convention No. 29 of 1930, Staats. 261/1933.

³⁸ See Convention No. 45 of 1935, Staats. 219/1937.

³⁹ See Convention No. 98 of 1949, Law No. 42/1956.

⁴⁰ See Convention No. 100 of 1951, Law No. 171/1957.

⁴¹ See Convention No. 106 of 1957, Law No. 14/1961.

⁴² See Convention No. 120 of 1964, Law No. 14/1969.

* Attorney at Law in Jakarta and Professor of Law at the University of Indonesia.

** Member, New York Bar.