

**GOVERNMENT REGULATION OF THE REPUBLIC OF  
INDONESIA NUMBER 40 OF 2019  
REGARDING  
THE IMPLEMENTATION OF LAW NUMBER 23 OF 2006 ON POPULATION ADMINISTRATION AS  
AMENDED BY LAW NUMBER 24 OF 2013 ON AMENDMENTS TO LAW-LAW NUMBER 23 OF 2006 ON  
POPULATION ADMINISTRATION**

BY THE GRACE OF ALMIGHTY GOD

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering:

that in order to implement the provisions of Article 10, Article 13 paragraph (4), Article 24 paragraph (3), Article 82 paragraph (3), Article 84 paragraph (2), Article 85 paragraph (2), and Article 105 of Law Number 23 of 2006 concerning Population Administration as amended by Law Number 24 of 2013 concerning Amendments to Law No. 23 of 2006 on Population Administration, it is necessary to establish a Government Regulation on the Implementation of Law No. 23 of 2006 on Population Administration as amended by Law No. 24 of 2013 on Amendments to Law No. 23 of 2006 on Population Administration.

Considering:

1. Article 5 paragraph (2) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 23 of 2006 concerning Population Administration (State Gazette of the Republic of Indonesia of 2006 Number 124, Supplement to State Gazette of the Republic of Indonesia Number 4674) as amended by Law Number 24 of 2013 concerning Amendments to Law-Law Number 23 of 2006 concerning Population Administration (State Gazette of the Republic of Indonesia of 2013 Number 232, Supplement to the State Gazette of the Republic of Indonesia Number 5475).

DECIDES:

To establish:

GOVERNMENT REGULATION ON THE IMPLEMENTATION OF LAW NUMBER 23 OF 2006 ON POPULATION ADMINISTRATION AS AMENDED BY LAW NUMBER 24 OF 2013 ON AMENDMENTS TO LAW-LAW NUMBER 23 OF 2006 ON POPULATION ADMINISTRATION.

**CHAPTER I  
GENERAL  
PROVISIONS**

**Article 1**

In this Government Regulation, the following terms shall have the following meanings:

1. Population Administration is a series of activities related to the organization and control of the issuance of Population Documents and Data through Population Registration, civil registration, management of Population Administration information, and utilization of the results for public services and development in other sectors.
2. Population Data is structured individual and/or aggregate data resulting from population registration and civil registration activities.
3. Personal Data is specific personal data that is stored, maintained, and protected for accuracy and confidentiality.
4. Population Documents are official documents issued by the District/City Population and Civil Registration Office that have legal force as authentic evidence resulting from Population Registration and Civil Registration services.
5. The Family Card, hereinafter abbreviated as KK, is a family identity card that contains data on the names, structure, and relationships within the family, as well as the identities of family members.
6. The Electronic Identity Card, hereinafter referred to as KTP-el, is an identity card equipped with a chip that serves as the official identity of a citizen as proof of identity issued by the District/City Population and Civil Registration Office.
7. The Population Registration Number, hereinafter referred to as NIK, is a unique, singular, and permanent identity number assigned to individuals registered as Indonesian citizens.
8. The Population Administration Information System, hereinafter referred to as SIAK, is an information system that utilizes information and communication technology to facilitate the management of Population Administration information at the administrator level and the District/City Population and Civil Registration Office as a single entity.
9. Indonesian citizens, hereinafter referred to as WNI, are native Indonesians and foreigners who have been legally recognized as Indonesian citizens by law.
10. Residents are WNI and foreigners residing in Indonesia.
11. Cross-border residents are Indonesian citizens who have lived for generations in districts/cities that directly border neighboring countries and who cross the border for economic, social, and cultural activities as stipulated by law.
12. The Minister is the minister who administers domestic government affairs.
13. The Ministry is the ministry that administers domestic government affairs.
14. The Provincial Population and Civil Registration Office is a provincial regional apparatus that handles Population Administration affairs.
15. The District/City Population and Civil Registration Office is a district/city regional apparatus acting as the implementing agency in charge of Population Administration affairs.
16. Representatives of the Republic of Indonesia are the Embassy of the Republic of Indonesia, the Consulate General of the Republic of Indonesia, and the Consulate of the Republic of Indonesia outside the territory of the Unitary State of the Republic of Indonesia.
17. The Technical Implementation Unit of the District/City Population and Civil Registration Office, hereinafter referred to as the District/City Population and Civil Registration Office Technical Implementation Unit, is a service unit for population administration at the sub-district level under the District/City Population and Civil Registration Office.

## CHAPTER II

### IMPLEMENTATION OF POPULATION ADMINISTRATION AUTHORITY

## **Section One General**

### **Article 2**

Population administration is administered by the Government, provincial governments, and district/city governments.

## **Section Two Government**

### **Article 3**

- (1) The Minister administers Population Administration affairs at the national level.
- (2) In administering Population Administration Affairs as referred to in paragraph (1), the Minister has the authority to:
  - a. coordination between agencies and between regions;
  - b. establishing systems, guidelines, and standards;
  - c. facilitation and dissemination;
  - d. coaching, mentoring, supervision, monitoring, evaluation, and consultation;
  - e. management and presentation of national-scale Population Data;
  - f. providing blank electronic ID cards for regencies/cities;
  - g. providing blank Population Documents other than blank electronic ID cards through the District/City Population and Civil Registration Office;
  - h. providing blank Population Documents other than blank electronic ID cards for Indonesian Representatives;
  - i. utilization and protection of Population Data and Population Documents; and
  - j. supervision.

### **Article 4**

In exercising the authority referred to in Article 3 paragraph (2) letter a, the Minister shall coordinate:

- a. nationally by involving relevant ministries/institutions, provincial governments, and regency/city governments on a regular basis;
- b. intergovernmental arrangements related to the administration of population affairs; and
- c. with the Representative of the Republic of Indonesia through the minister who administers government affairs in the field of foreign relations.

### **Article 5**

In exercising the authority referred to in Article 3 paragraph (2) letter b, the Minister

shall regulate and determine:

- a. the implementation of SIAK;
- b. planning, implementation, monitoring, evaluation, and control;
- c. protection of Population data;
- d. the management and distribution of electronic ID card forms;
- e. the use of Population Data and Population Documents;
- f. protection of residents' personal data;
- g. service standards;
- h. standards and specifications for forms, books, and templates;
- i. standards and specifications for Population Data recording devices;
- j. specifications for electronic ID card readers;
- k. competency standards for officials administering Population Administration affairs in the regions;
- l. systems, procedures, and standards for the implementation of Population Administration affairs for Indonesian citizens outside the territory of the Republic of Indonesia;
- m. supervision and evaluation of officials administering Population Administration affairs in the regions; and
- n. supervision of the implementation of Population Administration affairs.

#### **Article 6**

In exercising the authority referred to in Article 3 paragraph (2) letter c, the Minister shall:

- a. facilitation of the implementation of Population Administration affairs;
- b. socialization of Population Administration;
- c. collaborate with relevant parties; and
- d. communication, information, and education to stakeholders and the public.

#### **Article 7**

In exercising the authority referred to in Article 3 paragraph (2) letter d, the Minister shall:

- a. shall carry out guidance on the implementation of Population Administration matters, including:
  1. establishing qualification standards for human resources implementing Population Administration;
  2. providing guidance to Population Administration officials; and
  3. documenting Population Administration affairs.
- b. providing technical guidance and training on Population Administration;
- c. supervising the implementation of Population Administration affairs;
- d. providing consultation on the implementation of Population Administration; and
- e. monitoring and evaluating the implementation of Population Administration affairs.

#### **Article 8**

In exercising the authority referred to in Article 3 paragraph (2) letter e, the Minister

shall establish:

- a. procedures for managing Population Data in the form of personal data, aggregate data, and Personal Data in the Central Government, Provincial Governments, and Regency/City Governments; and
- b. the procedures for presenting Population Data that is accurate and accountable.

#### **Article 9**

- (1) In exercising the authority referred to in Article 3 paragraph (2) letters g and h, the Minister shall establish standards and specifications for Population Documents in the form of:
  - a. resident biodata;
  - b. Family Card (KK);
  - c. civil registration certificate;
  - d. child identity card; and
  - e. residence certificate.
- (2) Further provisions regarding the standards and specifications of Residence Documents other than the electronic ID card form referred to in paragraph (1) are regulated in a Ministerial Regulation.

#### **Article 10**

- (1) In exercising the authority referred to in Article 3 paragraph (2) letter i, the Minister grants access rights to users consisting of:
  - a. ministries;
  - b. institutions; and
  - c. Indonesian legal entities.
- (2) The granting of access rights as referred to in paragraph (1) shall take into account aspects of personal data protection and national security.
- (3) The granting of access rights as referred to in paragraph (1) is used for the utilization of:
  - a. Population Data; and
  - b. electronic ID cards.
- (4) Further provisions regarding the procedures for granting access rights and utilization of Population Data and electronic ID cards by ministries/institutions and Indonesian legal entities are regulated in Ministerial Regulations.
- (5) The use of Population Data and electronic ID cards by Indonesian legal entities is carried out in accordance with the provisions of laws and regulations and is implemented based on cooperation agreements.
- (6) The Minister is entitled to receive feedback after access rights have been granted to users and/or utilized by users as referred to in paragraph (1).

### **Part Three Provincial Government**

#### **Paragraph 1 Governor**

#### **Article 11**

- (1) The Governor administers Population Administration affairs in the provincial area.
- (2) In administering population administration affairs as referred to in paragraph (1), the governor has the authority to:
  - a. coordinating the administration of Population Administration affairs;
  - b. guidance, supervision, and consultation;
  - c. development and dissemination of Population Administration matters;
  - d. presentation of provincial-level Population Data derived from Population Data that has been consolidated and cleaned by the Ministry; and
  - e. coordination of supervision over the implementation of Population Administration affairs.

#### **Article 12**

- (1) In exercising the authority referred to in Article 11 paragraph (2) letter a, the governor shall coordinate:
  - a. between government agencies and non-government agencies; and
  - b. between regencies/cities regarding the implementation of Population Administration affairs.
- (2) The coordination referred to in paragraph (1) relates to the planning, organization, implementation, and supervision of the implementation of Population Administration affairs.

#### **Article 13**

In exercising the authority referred to in Article 11 paragraph (2) letter b, the governor shall:

- a. provides technical guidance on population registration, civil registration, management of population administration information, and utilization of population data;
- b. supervises the verification and validation of Population Data as well as the supervision of Population Administration affairs; and
- c. provides consultation on the implementation of Population Administration affairs.

#### **Article 14**

- (1) In exercising the authority referred to in Article 11 paragraph (2) letter c, the governor shall carry out:
  - a. inter-agency socialization between government and non-government institutions;
  - b. facilitate the use of Population Data and Population Documents with provincial regional apparatus and Indonesian legal entities that provide public services that do not have a vertical relationship with user institutions at the central level;
  - c. collaboration with community organizations and universities;
  - d. dissemination of public service announcements through print and electronic media; and
  - e. communication, information, and education to stakeholders and the public.
- (2) The authority referred to in paragraph (1) letters b and c shall be exercised in accordance with the provisions of laws and regulations.

### **Article 15**

In exercising the authority referred to in Article 11 paragraph (2) letter d, the governor shall:

- a. manage Population Data in the form of personal data, aggregate data, and Personal Data; and
- b. Presentation of accurate and accountable population data.

### **Paragraph 2**

#### **Provincial Population and Civil Registration Office**

### **Article 16**

- (1) To administer population administration affairs in the province, a Provincial Population and Civil Registration Office shall be established.
- (2) The establishment of the Provincial Population and Civil Registration Office as referred to in paragraph (1) is regulated by Provincial Regulations.

### **Article 17**

In administering population administration affairs in the province, the Provincial Population and Civil Registration Office shall carry out:

- a. coordination between government and non-government institutions in the province and between regencies/cities on a regular basis;
- b. formulating procedures for planning, implementing, monitoring, evaluating, and controlling Population Administration affairs in the province;
- c. formulating procedures for managing Population Data in the form of individual data, aggregate data, and Personal Data in provinces and districts/cities;
- d. facilitation of the implementation of Population Administration affairs;
- e. implementation of the utilization of Population Data;
- f. socialization of the implementation of Population Administration affairs;
- g. collaboration with community organizations and universities;
- h. communication, information, and education for stakeholders and the community;
- i. supervising the implementation of Population Administration affairs, including supervising the documentation of the implementation of Population Administration affairs;
- j. technical guidance on population registration, civil registration, population information management, and utilization of Population Data;
- k. supervision of Population Data verification and validation activities and the implementation of Population Administration affairs;
- l. monitoring and evaluation of the implementation of Population Administration affairs;
- m. providing consultation on the implementation of Population Administration affairs;
- n. presentation of accurate and accountable Population Data; and
- o. supervision of the implementation of Population Administration affairs.

## **Section Four: District/City Local Government**

### **Paragraph 1 Regent/Mayor**

#### **Article 18**

- (1) The regent/mayor administers Population Administration affairs in the regency/city.
- (2) In administering Population Administration affairs as referred to in paragraph (1), the regent/mayor has the authority to:
  - a. coordinating the administration of population affairs;
  - b. establishing the Regency/City Population and Civil Registration Office;
  - c. technical arrangements for the implementation of Population Administration affairs in accordance with the provisions of laws and regulations;
  - d. guidance and dissemination of information on the implementation of Population Administration affairs;
  - e. implementation of community service activities in the field of Population Administration;
  - f. assigning villages or other entities to carry out some Population Administration affairs;
  - g. presentation of district/city-level Population Data originating from Population Data that has been consolidated and cleaned up by the Ministry; and
  - h. coordination of supervision over the implementation of Population Administration affairs.

#### **Article 19**

- (1) In exercising the authority referred to in Article 18 paragraph (2) letter a, the regent/mayor shall coordinate with Government and non-Government institutions.
- (2) The coordination referred to in paragraph (1) relates to the planning, organization, implementation, and supervision of the administration of population affairs.

#### **Article 20**

In exercising the authority referred to in Article 18 paragraph (2) letter c, the regent/mayor shall establish technical guidelines for the administration of population administration affairs through a Regent/Mayor Regulation.

#### **Article 21**

- (1) In exercising the authority referred to in Article 18 paragraph (2) letter d, the regent/mayor shall carry out:
  - a. coordination between government agencies and non-government agencies;
  - b. facilitation of the use of Population Data and Population Documents through the District/City Population and Civil Registration Office to regional apparatus.



and Indonesian legal entities that provide public services that do not have a vertical relationship with users at the central level;

- c. collaboration with community organizations and universities;
  - d. creating public service advertisements through print and electronic media; and
  - e. communication, information, and education to stakeholders and the public.
- (2) The authority referred to in paragraph (1) letters b and c shall be exercised in accordance with the provisions of laws and regulations.

#### **Article 22**

The regent/mayor shall carry out the authority of public service activities in the field of Population Administration as referred to in Article 18 paragraph (2) letter e continuously, quickly, accurately, easily, and without charging fees to the Population.

#### **Article 23**

- (1) The implementation of the authority to assign to villages or other entities to carry out part of the Population Administration affairs as referred to in Article 18 paragraph (2) letter f shall be in accordance with the provisions of laws and regulations.
- (2) Further provisions regarding the assignment to villages or other entities to carry out certain Population Administration matters are regulated by Regent/Mayor Regulations.

#### **Article 24**

In exercising the authority referred to in Article 18 paragraph (2) letter g, the regent/mayor shall:

- a. manage Population Data in the form of personal data, aggregate data, and Private Data; and
- b. presenting Population Data that is accurate and accountable.

#### **Paragraph 2**

##### **District/City Population and Civil Registration Office**

#### **Article 25**

- (1) To carry out Population Administration affairs in regencies/cities, a Regency/City Population and Civil Registration Office shall be established.
- (2) The establishment of the District/City Population and Civil Registration Office as referred to in paragraph (1) cannot be combined with other government affairs.
- (3) The establishment of the District/City Population and Civil Registration Office is regulated by District/City Regional Regulations.

#### **Article 26**

In administering Population Administration affairs, the District/City Population and Civil Registration Office shall carry out:

- a. coordination with the ministry office that administers government affairs in the field of religion in the regency/city and the religious court related to the registration of marriage, divorce, and reconciliation for residents who are Muslim;
- b. coordination with the ministry office that administers government affairs in the field of religion in the regency/city in maintaining reciprocal relations through mutual guidance to vertical agencies and Technical Implementation Units (UPT) of the Regency/City Population and Civil Registration Office;
- c. coordinating between government and non-government institutions in regencies/cities in the control of Population Administration services;
- d. formulating procedures for planning, implementing, monitoring, evaluating, and controlling Population Administration affairs in regencies/cities;
- e. procurement of Population Document forms other than electronic ID card forms, forms, and books for Population registration and civil registration services in accordance with requirements;
- f. management and reporting on the use of Population Document forms, forms, and books for Population Registration and Civil Registration services;
- g. guidance, mentoring, and supervision of the implementation of the duties of the District/City Population and Civil Registration Office, including requesting reports on the implementation of the duties of the District/City Population and Civil Registration Office related to civil registration services;
- h. guidance, mentoring, and supervision of assignments to villages or other entities;
- i. actively providing services for the registration of population events and the recording of important events;
- j. receipt and request for Population Data from the Representative of the Republic of Indonesia through the Minister;
- k. facilitation of the implementation of Population Administration affairs;
- l. implementation of the utilization of Population Data;
- m. socialization of the implementation of Population Administration affairs;
- n. cooperation with community organizations and universities;
- o. communication, information, and education to stakeholders and the public;
- p. presenting accurate and accountable Population Data;
- q. joint supervision with the ministry office that administers government affairs in the field of religion at the district/city level and religious courts regarding the reporting of marriages, divorces, and reconciliations for Muslim residents in order to develop a Population Data base; and
- r. supervision of the implementation of Population Administration affairs.

### **Paragraph 3**

#### **Technical Implementation Unit of the District/City Population and Civil Registration Office**

### **Article 27**

- (1) To carry out Population Administration affairs in subdistricts effectively and efficiently, a Technical Implementation Unit of the District/City Population and Civil Registration Office may be established.
- (2) The establishment of the Technical Implementation Unit of the District/City Population and Civil Registration Office shall be prioritized in subdistricts:
  - a. with remote geographical conditions, difficult to reach by public transportation, and very limited

access to public services;

- b. with high population density or mobility or exceeding the normal population density or mobility ratio in accordance with the provisions of laws and regulations; and/or
  - c. that require effective fulfillment of community service needs.
- (3) The Technical Implementation Unit of the District/City Population and Civil Registration Office as referred to in paragraph (1) is under and responsible to the head of the District/City Population and Civil Registration Office.
- (4) Further provisions regarding the Technical Implementation Unit of the District/City Population and Civil Registration Office are regulated in a Ministerial Regulation.

## **Part Five**

### **Representatives of the Republic of Indonesia**

#### **Article 28**

- (1) The administration of population affairs for Indonesian citizens outside the territory of the Republic of Indonesia is carried out by the Representative of the Republic of Indonesia.
- (2) The administration of population affairs at the Representative Office of the Republic of Indonesia as referred to in paragraph (1) shall be carried out by functional diplomatic officials.
- (3) The implementation of Population Administration affairs as referred to in paragraph (2) must be in accordance with the system and standards established by the Minister.
- (4) The minister in charge of supervising the apparatus administering population administration for Indonesian citizens outside the Unitary State of the Republic of Indonesia as referred to in Article 7 letter a number 2 shall coordinate with the minister in charge of government affairs in the field of foreign relations.
- (5) The minister responsible for government affairs in the field of foreign relations shall provide the necessary facilities and infrastructure to support the implementation of Population Administration affairs for Indonesian citizens outside the territory of the Republic of Indonesia.

#### **Article 29**

Provisions regarding the implementation of Population Administration affairs in countries or regions where there are no Indonesian diplomatic missions are regulated in a Ministerial Regulation administered by the minister responsible for government affairs in the field of foreign relations.

## **CHAPTER III**

### **POPULATION REGISTRATION NUMBER AND OTHER IDENTITY DOCUMENTS**

#### **Section One**

#### **Population Registration Number**

#### **Article 30**

- (1) The NIK is used as a single identity number for all public services.
- (2) The NIK is valid for life and forever, does not change, and does not follow changes in domicile.

- (3) Further provisions regarding the use of the NIK are regulated in a Ministerial Regulation.

### **Article 31**

- (1) The NIK consists of 16 (sixteen) digits, comprising:
- The first 6 (six) digits are the code for the province, district/city, and sub-district of residence at the time of registration;
  - The second 6 (six) digits represent the date, month, and year of birth, and specifically for women, their date of birth plus the number 40; and
  - The last 4 (four) digits are the NIK issuance sequence number, which is processed automatically by SIAK.
- (2) The 16 (sixteen) digits referred to in paragraph (1) are placed horizontally.
- (3) The NIK referred to in paragraph (1) is issued by the District/City Population and Civil Registration Office.
- (4) The NIK referred to in paragraph (3) is issued after the recording of the resident's biodata as the basis for issuing a family card (KK) and electronic identity card (KTP-el) at the Population and Civil Registration Office of the regency/city where the Indonesian citizen resides.
- (5) The issuance of NIK for babies born outside the administrative area of residence is carried out after the recording of the biodata of the resident at the District/City Population and Civil Registration Office where the parents reside.
- (6) The recording of the biodata of the resident as referred to in paragraphs (4) and (5) shall be carried out in accordance with the provisions of laws and regulations.
- (7) Further provisions regarding the procedures for issuing NIK as referred to in paragraphs (1) to (5) are regulated in a Ministerial Regulation.

### **Article 32**

- (1) Indonesian citizens outside the territory of the Republic of Indonesia who do not yet have a single identity number are required to report to the Representative of the Republic of Indonesia.
- (2) The single identity number as referred to in paragraph (1) is equivalent to the NIK.
- (3) The NIK as referred to in paragraph (2) consists of:
- The first 6 (six) digits are the area code, consisting of 2 (two) digits 99 (ninety-nine), 3 (three) digits for the country code, and 1 (one) digit for the Indonesian Representative code;
  - The second 6 (six) digits represent the date, month, and year of birth, and specifically for women, the date of birth is added to the number 40; and
  - The last 4 (four) digits are the NIK issuance sequence number, which is processed automatically by SIAK.
- (4) The 16 (sixteen) digits referred to in paragraph (3) are placed horizontally.
- (5) The NIK referred to in paragraph (3) is assigned by the Government and issued by the Representative of the Republic of Indonesia.
- (6) The NIK referred to in paragraph (5) is issued after the recording of the resident's biodata as the basis for issuing the NIK notification letter.
- (7) The recording of residents' biodata as referred to in paragraph (6) is carried out in accordance with the provisions of laws and regulations.

- (8) Further provisions regarding the procedures for issuing the NIK as referred to in paragraphs (1) to (6) are regulated in a Ministerial Regulation, which is established after coordination with the ministry that administers government affairs in the field of foreign relations.

### **Article 33**

In the event that the NIK listed on the electronic ID card differs from the NIK listed on the Population Document and/or other identity documents issued by Indonesian ministries/institutions or legal entities, the NIK listed on the electronic ID card shall prevail.

## **Part Two Other Identity Documents**

### **Article 34**

- (1) All other identity documents issued by Indonesian ministries/institutions or legal entities must include the NIK.
- (2) The NIK shall be included in a special column provided on every other identity document issued as referred to in paragraph (1).
- (3) Other identity documents as referred to in paragraph (1) include civil service identity documents and proof of ownership.

## **CHAPTER IV SPECIAL ELECTRONIC IDENTITY CARD**

### **Article 35**

- (1) Special electronic ID cards are issued to special officers who perform state security duties.
- (2) The special officers referred to in paragraph (1) consist of investigators and intelligence officers.
- (3) The special electronic ID card referred to in paragraph (1) is issued to protect and guarantee the confidentiality of the identity of special officers while carrying out state security duties.
- (4) Further provisions regarding the procedures for issuing special electronic ID cards are regulated in a Ministerial Regulation.

## **CHAPTER V REGISTRATION OF CROSS-BORDER RESIDENTS**

### **Article 36**

- (1) Cross-border residents are issued a cross-border passport by the immigration office in the border area in accordance with the provisions of laws and regulations.
- (2) The border crossing passport referred to in paragraph (1) shall serve as the basis for the registration of Cross-Border Residents by the registration officer/official of the District/City Population and Civil Registration Office.
- (3) The Cross-Border Resident registration officer/clerk of the District/City Population and Civil Registration Office as referred to in paragraph (2) shall be appointed by the regent/mayor.

- (4) The official/officer responsible for registering cross-border residents as referred to in paragraph (3) shall be stationed at the local border crossing office/post.

#### **Article 37**

Cross-border resident registration is carried out in accordance with the following provisions:

- a. officials/staff of the District/City Population and Civil Registration Office coordinate with the immigration office in the border area to record Cross-Border Residents who already have a cross-border passbook;
- b. The District/City Population and Civil Registration Office verifies and validates the data of Cross-Border Residents; and
- c. officials/registration officers of the District/City Population and Civil Registration Office record the data in the Cross-Border Residents registration book.

#### **Article 38**

Further provisions regarding the registration of Cross-Border Residents are regulated in a Ministerial Regulation established after coordination with the ministry responsible for government affairs in the field of law.

### **CHAPTER VI**

#### **PROCEDURES FOR REGISTERING MARRIAGES FOR ADHERENTS OF THE ONE SUPREME GOD**

#### **Article 39**

- (1) Marriage among adherents of the belief in God the Almighty shall be conducted in the presence of a leader of the belief in God the Almighty.
  - (2) The religious leader referred to in paragraph (1) is appointed and designated by the organization of believers in God Almighty.
- (3) The organization and leader of the faith in God Almighty as referred to in paragraph (2) shall be registered with the ministry whose technical duties include fostering organizations of the faith in God Almighty.
- (4) The leaders of the belief in God Almighty as referred to in paragraph (1) Fill out and sign the marriage certificate of believers in God Almighty.

#### **Article 40**

- (1) The registration of marriages of believers in God Almighty shall be carried out at the District/City Population and Civil Registration Office or the District/City Population and Civil Registration Office Technical Implementation Unit no later than 60 (sixty) days after the marriage is performed before a leader of believers in God Almighty.
- (2) The registration of marriages of believers in God Almighty as referred to in paragraph (1) shall be carried out with the following provisions:
  - a. The Civil Registration Officer at the District/City Population and Civil Registration Office or the District/City Population and Civil Registration Office Technical Implementation Unit shall provide the marriage registration form to the husband and wife;

- b. the husband and wife fill out the marriage registration form and submit it to the Civil Registry Officer by showing their electronic ID cards (KTP-el) to be read using an electronic ID card reader and attaching the following documents:
  1. a marriage certificate from a believer in God Almighty by showing the original;
  2. passport photos of husband and wife;
  3. birth certificate; and
  4. husband and/or wife's foreign travel documents for foreigners.
- c. The Civil Registry Officer verifies and validates the data listed in the marriage registration form and the attached documents;
- d. based on the completeness and accuracy of the data verified and validated as referred to in point c, the Civil Registry Officer records the marriage certificate in the register and issues a copy of the marriage certificate; and
- e. The marriage certificate extract referred to in point d is given to the husband and wife respectively.

## **CHAPTER VII**

### **POPULATION ADMINISTRATION INFORMATION SYSTEM**

#### **Article 41**

- (1) SIAK is established and developed by the Minister.
- (2) The objectives of the Population Administration Information System are:
  - a. improving the quality of population registration and civil registration services;
  - b. providing accurate, complete, and up-to-date national and regional data and information on the results of population registration and civil registration; and
  - c. Realizing systematic data exchange through a single identification system while ensuring data confidentiality.
- (3) SIAK is a series of programs that includes the following elements:
  - a. databases;
  - b. information and communication technology tools;
  - c. human resources;
  - d. access rights providers and holders;
  - e. database location;
  - f. database management;
  - g. database maintenance;
  - h. database security;
  - i. database monitoring;
  - j. supporting devices;
  - k. service locations;
  - l. data center;

- m. backup data;
  - n. backup data center; and
  - o. data communication network.
- (4) In the event that the SIAK elements referred to in paragraph (3) require a procurement process, this shall be carried out in accordance with the provisions of laws and regulations governing the procurement of government goods/services.

#### **Article 42**

The database as referred to in Article 41 paragraph (3) letter a consists of:

- a. the database at the Ministry, which includes databases sourced from all District/City Population and Civil Registration Offices and ministries that administer government affairs in the field of foreign relations;
- b. databases at the Provincial Population and Civil Registration Offices sourced from the Ministry; and
- c. databases at the District/City Population and Civil Registration Offices.

#### **Article 43**

- (1) The information and communication technology devices referred to in Article 41 paragraph (3) letter b are provided to accommodate the implementation of Population Administration services conducted manually or online.
- (2) The manual implementation of Population Administration services may only be carried out by the District/City Population and Civil Registration Office for certain areas with limited data communication facilities.

#### **Article 44**

Human resources as referred to in Article 41 paragraph (3) letter c include human resources who carry out:

- a. data input services;
- b. document issuance;
- c. data and information management;
- d. system development and improvement;
- e. data center and backup data center management;
- f. communication network management; and
- g. facilitation of data utilization.

#### **Article 45**

The location of the database as referred to in Article 41 paragraph (3) letter e includes:

- a. work units in charge of Population Administration and Civil Registration at the Ministry and/or other places determined by the Minister;
- b. Provincial Population and Civil Registration Offices;
- c. District/Municipal Population and Civil Registration Offices; and
- d. ministries that administer government affairs in the field of foreign relations.



#### **Article 46**

The management of the database as referred to in Article 41 paragraph (3) letter f includes:

- a. recording of Population Registration and Civil Registration data into the Population Database;
- b. consolidation of population registration and civil registration data;
- c. presentation of data as Population Data information; and
- d. distribution of data for the formulation of policies in the fields of government and development.

#### **Article 47**

- (1) The maintenance, security, and supervision of the database as referred to in Article 41 paragraph (3) letters g, h, and i shall be carried out by the Government, provincial governments, and regency/city governments.
- (2) The maintenance, security, and supervision of the database as referred to in paragraph (1) includes the maintenance, security, and supervision of data in the database, hardware, software, data communication networks, data centers, backup data, and backup data centers.

#### **Article 48**

The supporting devices referred to in Article 41 paragraph (3) letter j are provided to ensure the continuity of SIAK functions.

#### **Article 49**

- (1) The service locations referred to in Article 41 paragraph (3) letter k are spaces for data input and Population Data and Population Document services;
- (2) Population Data service locations are located at the Ministry, Provincial Population and Civil Registration Offices, Regency/City Population and Civil Registration Offices, and Indonesian Representative Offices;
- (3) The service location for Population Documents is at the District/City Population and Civil Registration Office and the Representative Office of the Republic of Indonesia.

#### **Article 50**

The data center as referred to in Article 41 paragraph (3) letter l is located at the Ministry, Provincial Population and Civil Registration Office, and Regency/City Population and Civil Registration Office.

#### **Article 51**

- (1) Backup data and backup data centers as referred to in Article 41 paragraph (3) letters m and n are provided and managed to ensure data availability in the event of a failure of the main data.
- (2) The backup data center referred to in paragraph (1) is located at the Ministry.

#### **Article 52**

The data communication network referred to in Article 41 paragraph (3) letter o consists of a data communication network that connects:

- a. population document service locations to the Ministry's data center and/or to the district/city Population and Civil Registration Office data center;
- b. the data center at the District/City Population and Civil Registration Office to the data center at the Ministry;
- c. Ministry data center to the Provincial Population and Civil Registration Office data center and backup data center;
- d. the Ministry's data warehouse to the vertical agency user data center;
- e. the Provincial Population and Civil Registration Office data warehouse to the provincial user data center; and
- f. the district/city Population and Civil Registration Agency data warehouse to the district/city user data center.

### **Article 53**

Further provisions regarding SIAK are regulated in the Ministerial Regulation.

## **CHAPTER VIII**

### **PROTECTION OF RESIDENTS' PERSONAL DATA**

#### **Section One**

#### **Elements of Personal Data of Residents**

### **Article 54**

- (1) Personal data of residents that must be protected includes:
  - a. information about physical and/or mental disabilities;
  - b. fingerprints;
  - c. iris scans
  - d. signatures; and
  - e. other data elements that constitute a person's shame.
- (2) The protection of residents' personal data as referred to in paragraph (1) takes the form of protection of the right of access to the Population Database and protection of data confidentiality as regulated in accordance with the provisions of laws and regulations.
- (3) Other data elements as referred to in paragraph (1) letter e are data elements from certain important events that must not be disclosed to others unless otherwise specified in accordance with the provisions of laws and regulations.
- (4) Certain important events as referred to in paragraph (3) include:
  - a. children born whose parents' origins are unknown;
  - b. a change of gender;
  - c. a child born out of wedlock; or
  - d. other important events as determined by the Minister.

## **Part Two Storage of Personal Data of Residents**

### **Article 55**

- (1) Personal Data of Residents that must be protected as referred to in Article 54 paragraph (1) shall be stored in the databases of the Ministry, Provincial Population and Civil Registration Offices, and Regency/City Population and Civil Registration Offices.
- (2) Personal Data of Residents in the database as referred to in paragraph (1) shall be managed as population information material.

## **Part Three Procedures for Obtaining and Using Personal Data of Residents**

### **Article 56**

- (1) To obtain Personal Data of Residents, Indonesian ministries/institutions and legal entities must obtain approval from the Minister, governor, or regent/mayor in accordance with the scope of data required.
- (2) Personal Data of Residents may be obtained under the following conditions:
  - a. Indonesian ministries/institutions and legal entities submit a request to the Minister, governor, or regent/mayor, including the purpose and objective of using Personal Data of Residents;
  - b. The Minister, governor, or regent/mayor conducts a selection process to determine whether to grant approval; and
  - c. the provision of Personal Data of Residents is carried out in accordance with the approval granted by the Minister, governor, or regent/mayor.
- (3) Personal Data of Residents obtained as referred to in paragraph (1) may only be used as necessary as stated in the approval.
- (4) For the sake of national security and law enforcement, Personal Data of Residents that must be protected can only be accessed with the approval of the Minister.

### **Article 57**

Further provisions regarding the protection of Personal Data of Residents are regulated in the Ministerial Regulation.

## **CHAPTER IX ADMINISTRATIVE SANCTIONS**

### **Article 58**

- (1) Indonesian ministries/institutions and legal entities that obtain Personal Data of Residents or Population Data are prohibited from:
  - a. using Personal Data of Residents or Population Data beyond the limits of their authority; or
  - b. making Personal Data of Residents or Population Data available as public information.

without obtaining prior approval from the Minister.

- (2) Violations of the provisions referred to in paragraph (1) shall be subject to administrative sanctions in the form of revocation of user access rights, destruction of data that has been accessed, and an administrative fine of IDR 10,000,000,000.00 (ten billion rupiah).
- (3) The provisions regarding the procedures for imposing administrative sanctions as referred to in paragraph (2) are regulated in a Ministerial Regulation established after coordination with the relevant technical ministries.

## **CHAPTER X REPORTING**

### **Article 59**

- (1) The administration of Population Administration matters shall be reported in a hierarchical manner in accordance with the structure of government.
- (2) The report referred to in paragraph (1) shall be submitted periodically to the Minister.

### **Article 60**

- (1) The Minister coordinates the reporting of the implementation of Population Administration matters with the relevant ministers/heads of institutions.
- (2) The Minister reports the results of the coordination referred to in paragraph (1) to the President.

### **Article 61**

Further provisions regarding the procedures for reporting on the administration of population affairs are regulated in a Ministerial Regulation.

## **CHAPTER XI GUIDANCE AND SUPERVISION**

### **Article 62**

- (1) The Minister, governors, and regents/mayors, in accordance with their respective authorities, shall supervise the implementation of Population Administration affairs through:
  - a. supervision;
  - b. advocacy;
  - c. monitoring;
  - d. evaluation; and
  - e. other forms of guidance.
- (2) In addition to providing guidance as referred to in paragraph (1), the Minister shall provide guidance on the administration of population affairs outside the territory of the Republic of Indonesia in coordination with the ministry responsible for foreign affairs.
- (3) Supervision, advocacy, and monitoring as referred to in paragraph (1) letters a, b, and

c are carried out to ensure the smooth implementation of Population Administration affairs.

- (4) The evaluation referred to in paragraph (1) letter d shall be conducted continuously to improve the administration of population affairs and the development of SIAK.
- (5) Other forms of guidance as referred to in paragraph (1) letter e shall be carried out in accordance with the provisions of laws and regulations governing the guidance and supervision of regional government administration.

#### **Article 63**

- (1) The Minister, governors, and regents/mayors, in accordance with their respective authorities, shall supervise the administration of Population Administration affairs.
- (2) The Minister supervises the administration of Population Administration outside the territory of the Republic of Indonesia in coordination with the ministry that administers government affairs in the field of foreign relations.
- (3) In carrying out the supervision referred to in paragraphs (1) and (2), the Minister, governor, and regent/mayor shall:
  - a. coordination meetings;
  - b. prevention; and
  - c. corrective measures.
- (4) The supervision referred to in paragraph (1) includes supervision of data in the database, the use of Population Data, and the human resources carrying out Population Administration affairs.

#### **Article 64**

The development and supervision of the implementation of Population Administration matters at the national level shall be coordinated by the Minister.

#### **Article 65**

Further provisions regarding the procedures for guidance and supervision of the implementation of Population Administration matters are regulated in a Ministerial Regulation.

### **CHAPTER XII OTHER PROVISIONS**

#### **Article 66**

- (1) Population Administration affairs in regencies/cities within the Special Capital Region of Jakarta Province are administered by the Provincial Population and Civil Registration Office.
- (2) In the administration of Population Administration affairs in regencies/cities as referred to in paragraph (1), a Sub-Department of Population and Civil Registration of the Regency/City shall be established in accordance with the provisions of laws and regulations.
- (3) The provisions regarding the authority of the District/City Population and Civil Registration Office as referred to in this Government Regulation apply mutatis mutandis to the authority of the Population and Civil Registration Office of the Special Capital Region of Jakarta Province.
- (4) Provisions regarding the authority of the Technical Implementation Unit (UPT) of the District/City Population and Civil Registration Office

as referred to in this Government Regulation apply mutatis mutandis to the authority of the Sub-Office of the Population and Civil Registration Office of the Regency/City in the Special Capital Region of Jakarta Province.

### **CHAPTER XIII**

#### **TRANSITIONAL PROVISIONS**

##### **Article 67**

Upon the entry into force of this Government Regulation, the District/City Population and Civil Registration Office that has been administering population administration matters at the sub-district level shall continue to perform its duties until the establishment of the District/City Population and Civil Registration Office Unit in accordance with the provisions of this Government Regulation.

### **CHAPTER XIV**

#### **FINAL PROVISIONS**

##### **Article 68**

Upon the entry into force of this Government Regulation, all implementing regulations of Government Regulation No. 37 of 2007 concerning the Implementation of Law-Law Number 23 of 2006 concerning Population Administration (State Gazette of the Republic of Indonesia of 2007 Number 80, Supplement to the State Gazette of the Republic of Indonesia Number 4737) as amended by Government Regulation Number 102 of 2012 concerning Amendments to Government Regulation Number 37 of 2007 concerning the Implementation of Law-Law No. 23 of 2006 on Population Administration (State Gazette of the Republic of Indonesia Year 2012 No. 265, Supplement to the State Gazette of the Republic of Indonesia No. 5373) shall remain in force to the extent that it does not conflict with the provisions of this Government Regulation.

##### **Article 69**

Upon the entry into force of this Government Regulation, Government Regulation No. 37 of 2007 concerning the Implementation of Law-Law Number 23 of 2006 concerning Population Administration (State Gazette of the Republic of Indonesia of 2007 Number 80, Supplement to the State Gazette of the Republic of Indonesia Number 4737) as amended by Government Regulation Number 102 of 2012 concerning Amendments to Government Regulation Number 37 of 2007 concerning the Implementation of Law-Law No. 23 of 2006 on Population Administration (State Gazette of the Republic of Indonesia Year 2012 No. 265, Supplement to the State Gazette of the Republic of Indonesia No. 5373) is revoked and declared invalid.

##### **Article 70**

This Government Regulation shall come into force on the date of its promulgation.

To ensure that everyone is aware of this, this Government Regulation shall be promulgated by publishing it in the State Gazette of the Republic of Indonesia.

Issued in Jakarta, on May  
23, 2019

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Signed.

JOKO WIDODO

Promulgated in Jakarta,

on May 24, 2019

MINISTER OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA,

Signed.

YASONNA H. LAOLY

OFFICIAL GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2019 NUMBER 102

**EXPLANATION**  
**GOVERNMENT REGULATION OF THE REPUBLIC OF**  
**INDONESIA NUMBER 40 OF 2019**  
**REGARDING**  
**THE IMPLEMENTATION OF LAW NUMBER 23 OF 2006 ON POPULATION ADMINISTRATION AS**  
**AMENDED BY LAW NUMBER 24 OF 2013 ON AMENDMENTS TO LAW LAW NUMBER 23 OF 2006 ON**  
**POPULATION ADMINISTRATION**

**I. GENERAL**

The amendment to Law Number 23 of 2006 concerning Population Administration into Law Number 24 of 2013 concerning Amendments to Law-Law Number 23 of 2006 concerning Population Administration is a fundamental change in the field of Population Administration, with the main objectives of improving the effectiveness of Population Administration services to the community, ensuring the accuracy of Population Data, and the uniqueness of the NIK.

With the enactment of Law Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population Administration and to meet the needs of the community in the field of Population Administration services, Government Regulation Number 37 of 2007 concerning the Implementation of Law-Law Number 23 of 2006 concerning Population Administration as amended by Government Regulation Number 102 of 2011 concerning Amendments to Government Regulation Number 2007 concerning the Implementation of Law Number 23 of 2006 concerning Population Administration is no longer appropriate and therefore needs to be replaced.

This Government Regulation regulates the implementation of Population Administration authorities in the Central Government and Regional Governments, NIK, other identity documents, special electronic ID cards, registration of cross-border residents, marriage procedures for believers in God Almighty, SIAK, protection of residents' personal data, administrative sanctions, reporting, guidance and supervision, and the implementation of Population Administration in the Special Capital Region of Jakarta.

**II. ARTICLE BY ARTICLE**

**Article 1**

Sufficiently clear.

**Article 2**

Sufficiently clear.

**Article 3**

It is quite clear.

**Article 4**

It is quite clear.



#### **Article 5**

It is quite clear.

#### **Article 6**

Letter a

It is quite clear.

Letter b

What is meant by "socialization of Population Administration" includes the socialization of public service announcements through print and electronic media.

Letter c

It is quite clear.

Letter d

It is quite clear.

#### **Article 7**

It is quite clear.

#### **Article 8**

It is quite clear.

#### **Article 9**

Paragraph (1)

Letter a

It is clear enough.

Letter b

Self-explanatory.

Letter c

Quite clear.

Letter d

Quite clear.

Letter e

What is meant by "residence certificate" is:

- a. a certificate of relocation;
- b. certificate of arrival;
- c. certificate of relocation abroad;
- d. certificate of arrival from abroad;

- e. certificate of residence;
- f. birth certificate;
- g. certificate of death;
- h. certificate of annulment of marriage;
- i. certificate of divorce annulment;
- j. death certificate;
- k. adoption certificate;
- l. certificate of renunciation of Indonesian citizenship;
- m. certificate of replacement of identity card; and
- n. Civil registration certificate.

Paragr  
aph (2)

That is clear enough.

#### **Article 10**

Paragraph (1)

It is clear enough.

Paragraph (2)

It is quite clear.

Paragraph (3)

It is clear enough.

Paragraph (4)

It is clear enough.

Paragraph (5)

That's clear enough.

Paragraph (6)

What is meant by "feedback data" is data resulting from services provided to users to enrich/supplement Population Data, for example:

- a. obtaining a Taxpayer Identification Number from the Directorate General of Taxes;
- b. obtaining a traffic ticket number and a driver's license number from the Indonesian National Police; and
- c. obtaining a single health insurance participant identification number from the Social Security Administration Agency for Health.

#### **Article 11**

Clear enough.

#### **Article 12**

It is clear enough.



It is quite clear.

#### **Article 13**

It is quite clear.

#### **Article 14**

It is quite clear.

#### **Article 15**

It is quite clear.

#### **Article 16**

It is clear enough.

#### **Article 17**

It is quite clear.

#### **Article 18**

It is quite clear.

#### **Article 19**

It is quite clear.

#### **Article 20**

It is quite clear.

#### **Article 21**

It is quite clear.

#### **Article 22**

It is quite clear.

#### **Article 23**

It is clear enough.

#### **Article 24**

## **Article 25**

### Paragraph (1)

It is quite clear.

### Paragraph (2)

This provision is intended to realize a national and integrated Population Administration system and to ensure the continuous and integrated protection of Population Data and Population Documents.

### Paragraph (3)

It is clear enough.

## **Article 26**

Self-explanatory.

## **Article 27**

It is clear enough.

## **Article 28**

It is quite clear.

## **Article 29**

It is quite clear.

## **Article 30**

It is quite clear.

## **Article 31**

It is quite clear.

## **Article 32**

It is quite clear.

## **Article 33**

It is quite clear.

## **Article 34**

### Paragraph (1)

It is clear enough.

### Paragraph (2)

It is clear enough.

Paragraph (3)

What is meant by "identity documents" includes pilot identification cards, attorney cards, and other professional identification cards.

What is meant by "proof of ownership" includes travel documents, Taxpayer Identification Number, insurance policies, land title certificates, Driver's License, Motor Vehicle Ownership Book, high school diploma or equivalent, and college diploma.

**Article 35**

Paragraph (1)

The term "national security duties" refers to duties carried out by investigators or intelligence officers (secret agents) from the Indonesian National Armed Forces, the Indonesian National Police, and the Indonesian National Intelligence Agency based on orders from their superiors in accordance with the provisions of laws and regulations.

Paragraph (2)

Self-explanatory.

Paragraph (3)

It is quite clear.

Paragraph (4)

It is clear enough.

**Article 36**

It is clear enough.

**Article 37**

It is clear enough.

**Article 38**

It is quite clear.

**Article 39**

It is quite clear.

**Article 40**

It is clear enough.

**Article 41**

It is clear enough.



It is quite clear.

#### **Article 42**

It is quite clear.

#### **Article 43**

It is clear enough.

#### **Article 44**

It is quite clear.

#### **Article 45**

It is clear enough.

#### **Article 46**

It is quite clear.

#### **Article 47**

It is clear enough.

#### **Article 48**

It is clear enough.

#### **Article 49**

Sufficiently clear.

#### **Article 50**

It is quite clear.

#### **Article 51**

It is quite clear.

#### **Article 52**

It is quite clear.

#### **Article 53**

#### **Article 54**



It is quite clear.

#### **Article 55**

It is quite clear.

#### **Article 56**

It is clear enough.

#### **Article 57**

It is quite clear.

#### **Article 58**

##### **Paragraph (1)**

###### **Letter a**

"Exceeding authority" refers to using one's authority for personal gain or other interests that are not in accordance with the purpose of the authority as stipulated in the provisions of laws and regulations.

###### **Letter b**

Self-explanatory.

##### **Paragraph (2)**

It is quite clear.

##### **Paragraph (3)**

It is quite clear.

#### **Article 59**

It is clear enough.

#### **Article 60**

It is clear enough.

#### **Article 61**

It is quite clear.

#### **Article 62**

It is quite clear.

#### **Article 63**

It is clear enough.

**Article 64**

It is quite clear.

**Article 65**

It is quite clear.

**Article 66**

It is clear enough.

**Article 67**

It is quite clear.

**Article 68**

It is quite clear.

**Article 69**

It is clear enough.

**Article 70**

It is clear enough.

ADDITION TO THE STATE GAZETTE OF THE REPUBLIC OF INDONESIA NUMBER 6354