

A new unwritten policy for Visas on Arrival



By Darrell R. Johnson

The Director General of Immigration (the DGI) has adopted a new unwritten policy that Visas on Arrival (VOAs) can now only be used for tourism even though the relevant regulation – still in effect – provides that VOAs can be used to hold business discussions and for other activities that are allowed under a Business Visa. The DGI has said this is a new policy and is currently applicable, notwithstanding that it contradicts existing written regulations.

The DGI has also determined that visitors entering Indonesia under Business Visas, whether single or multiple, are not permitted to provide training but can only receive short-term training. Such Business Visa visitors, however are allowed to attend meetings. This is not a new policy but represents the DGI's interpretation of current regulations. The DGI has recently detained business visitors who entered Indonesia under Business Visas to provide training and has threatened possible sanctions against their Indonesian sponsors.

This interpretation would also seem to prohibit speakers

from attending conferences in Indonesia, if the purpose is to educate, instruct or train.

A more liberal interpretation of this ambiguous rule, or a different rule altogether, seems desirable. It would seem to be in Indonesian's interest to encourage shareholders to provide training to employees of their Indonesian companies, and for foreigners to be permitted to enter Indonesia for training purposes generally, particularly if they are not paid for such efforts. Efforts are being made to discuss this interpretation with the DGI. We will monitor whether there is a change in interpretation concerning this position.

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It should be noted that different ports of entry may apply these rules differently, according to their own interpretation. The above unwritten policy on VOAs, however has been provided by the main office of the DGI.

Pending further clarification, we recommend that business visitors not use VOAs for business visits and that business visitors using Business Visas avoid stating their purpose is to provide training. However, Business Visa Visitors may enter Indonesia for meetings.

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