

REGULATION OF THE MINISTER OF MANPOWER AND TRANSMIGRATION
OF THE REPUBLIC OF INDONESIA

NUMBER: PER.29/MEN/VI/2006

CONCERNING

HONORARIUM/REMUNERATION FOR THE SERVICE OF CONCILIATOR
AND REIMBURSEMENT FOR WITNESS AND EXPERT WITNESS IN THE
MEDIATION OR CONCILICATION HEARING

MINISTER OF MANPOWER AND TRANSMIGRATION OF
THE REPUBLIC OF INDONESIA,

- Considering : a. that as the implementation of the provision under Article 11 paragraph (2), Article 21 paragraph (2), and Article 26 paragraph (2) of the Act Number 2 of 2004 concerning the Settlement of Industrial Relations Dispute, need to determine honorarium/remuneration for the service of the Conciliator and reimbursement for the witness and expert witness in the Conciliation hearing with the Ministerial Regulation;
- In view of : 1. Act Number 1 Year 2004 concerning State Treasurer (State Gazette of the Republic of Indonesia Year 2004 Number 5, Supplement to the State Gazette the Republic of Indonesia Number 4355);
2. Act Number 2 Year 2004 concerning Industrial Relation Dispute Settlement (State Gazette of the Republic of Indonesia Year 2004 Number 6, Supplement to the State Gazette the Republic of Indonesia Number 4356);

3. Act Number 2 Year 2005 concerning Government Regulation in lieu of Act Number 1 Year 2005 concerning the Postponement of the Act Number 2 year 2004 concerning the Industrial Relations Dispute Settlement (State Gazette of the Republic of Indonesia Year 2005 Number 73, Supplement to the State Gazette the Republic of Indonesia Number 4523);
4. Presidential Decree of the Republic of Indonesia Number 187/M Year 2004 as amended several times and the latest by the Presidential Decision Number 20/P Year 2005;
5. Decision of the Minister of Manpower and Transmigration of the Republic of Indonesia Number PER.92/MEN/VI/2004 concerning Appointment and Dismissal of the Mediator and the Work Procedure of the Mediation;
6. Regulation of the Minister of Manpower and Transmigration of the Republic of Indonesia Number PER.10/MEN/V/2005 concerning the Appointment and Dismissal of the Conciliator and the work Procedure of the Conciliator.

DECIDING:

To Stipulate : THE REGULATION OF THE MINISTER OF MANPOWER AND TRANSMIGRATION OF THE REPUBLIC OF INDONESIA CONCERNING HONORARIUM/REMUNERATION FOR THE SERVICE OF CONCILIATOR AND REIMBURSEMENT FOR WITNESS AND EXPERT WITNESS IN THE MEDIATION OR CONCILICATION HEARING.

CHAPTER I
GENERAL PROVISION

ARTICLE 1

Under this Ministerial Decision, the following definitions shall apply:

1. An Industrial Relations Conciliator who hereinafter referred as to a conciliator is one or more persons who meet the requirements as a

conciliator and is appointed by the Minister, who is assigned to carry out conciliation and is obliged to give a written recommendation to the parties in dispute to resolve the disagreements over interests, dispute over termination of the work relationship, or a dispute between the trade unions within one company.

2. Industrial Relations Conciliation that hereinafter referred as to conciliation is the settlement of disputes over interests, disagreements over termination of work relationships, or disputes between trade unions within one company only, through deliberations interceded by one or more neutral conciliators.
3. Industrial Relations Mediation that hereinafter referred as to mediation is the settlement of disputes over rights, conflict over interests, disputes over termination of the work relationship, and disputes between worker/labour unions within one company only through deliberations that are interceded by one or more mediators who are neutral.
4. An Industrial Relations Mediator that hereinafter referred as to a mediator is a government agency employee responsible for the manpower field who meet the requirements as a mediator, and is appointed by the Minister for the duty of carrying out mediation and has an obligation to provide a written recommendation to the parties in dispute in order to resolve disagreements over rights, conflict over interests, disputes over termination of working relationships, and disputes between trade unions within one company.
5. Witness is someone who is heard his/her information in the mediation or conciliation hearing based on the occurrence heard, seen or experienced by the relevant witness.
6. Expert Witness is someone who is heard his/her information in the mediation or conciliation hearing based on his/her special expertise.
7. Honorarium/reimbursement for the service if the financial aid in the form of money from the government to the conciliator.
8. Travel cost and accommodation are the reimbursement from the government to the witness or expert witness that attends the mediation or conciliation hearing.
9. Minister is the Minister of Manpower and Transmigration of the Republic of Indonesia.

CHAPTER II
HONORARIUM/REMUNERATION FOR THE SERVICE OF THE
CONCILIATOR

ARTICLE 2

Conciliator that conducts conciliation hearing shall be given honorarium/remuneration for his/her service.

ARTICLE 3

The amount of the honorarium/remuneration for the service of the conciliator as meant in Article 2 is Rp.200.000, - (two hundred thousand Rupiah) for every industrial relation case.

ARTICLE 4

Honorarium/remuneration as meant in Article 3 shall be imposed with Income Tax in accordance with the prevailing laws and regulations.

ARTICLE 5

Honorarium/remuneration as meant in Article 3 shall be paid by the Treasurer in the local institution in charge for the manpower field, after the Conciliator completed his/her duty as evidenced by the copy of the Recommendation for the dispute settlement signed by parties or the copy of the collective labour agreement.

CHAPTER III
REIMBURSEMENT FOR THE WITNESS AND EXPERT WITNESS IN THE
MEDIATION AND CONCILIATION HEARING

ARTICLE 6

Witness and expert witness that attended the conciliation or mediation hearing shall be given the reimbursement for the travel cost and accommodation.

ARTICLE 7

- (1) The amount for the reimbursement of the travel cost and accommodation for the Witness and Expert Witness as meant in Article 6 who does not have status as the Civil Servant shall be equal to the official travel cost of the Civil Servant Category III.
- (2) For the Witness and Expert Witness who have the status as the Civil Servant, then the official travel cost shall be adjusted in accordance with the prevailing laws and regulations.

ARTICLE 8

The reimbursement of the travel cost and accommodation as meant in Article 7 shall be paid by the Treasurer in the local institution in charge for the manpower field after the Witness and Expert Witness completed his/her duty.

ARTICLE 9

- (1) The cost incurred due to the stipulation of this Ministerial Regulation shall be borne by the Budget of the Ministry of Manpower and Transmigration.
- (2) Budget allocation and management mechanism shall be further regulated by the Director General in charge for the Industrial Relation Development.

ARTICLE 10

This Regulation shall come into effect from the date of its stipulation.

Stipulated in Jakarta
on 28 June 2006

Minister of
Manpower and Transmigration of
The Republic of Indonesia,

sgd.

Dr.Ir.ERMAN SOEPARNO, MBA, M.Si