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THE PRESIDENT OF THE REPUBLIC OF INDONESIA REGULATION

NUMBER 76 OF 2020

CONCERNING

AMENDMENT TO PRESIDENTIAL REGULATION NUMBER 36 OF 2020  
CONCERNING DEVELOPMENT OF WORK COMPETENCY THROUGH THE PRE-  
EMPLOYMENT CARD PROGRAM

WITH THE GRACE OF GOD ALMIGHTY

PRESIDENT OF THE REPUBLIC OF INDONESIA,

- Considering : a. whereas in order to implement the Pre-Employment Card Program as part of the social assistance to mitigate the impact of the 2019 Corona Virus Disease (COVID-19) pandemic and to develop and improve the governance of the Pre-Employment Card Program, it is necessary to amend several provisions in the Presidential Regulation No. 36 of 2020 concerning Development of Work Competency through the Employment Card Program;
- b. whereas based on the considerations as referred to in letter a, it is necessary to stipulate a Presidential Regulation concerning Amendment to Presidential Regulation Number 36 of 2020 concerning Development of Work Competency through the Pre-Employment Card Program;
- In view of : 1. Article 4 paragraph (1) of the 1945 Constitution of the Republic of Indonesia;
2. Presidential Regulation Number 36 of 2020 concerning Development of Work Competency through the Pre-Employment Card Program (State Gazette of the Republic of Indonesia Year 2020 Number 63);

HAS DECIDED:

To stipulate : PRESIDENTIAL REGULATION CONCERNING AMENDMENT  
TO PRESIDENTIAL REGULATION NUMBER 36 OF 2020



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CONCERNING DEVELOPMENT OF WORK COMPETENCY  
THROUGH THE PRE-EMPLOYMENT CARD PROGRAM.

Article I

Several provisions in Presidential Regulation Number 36 of 2020 concerning Development of Work Competency through the Pre-Employment Card Program (State Gazette of the Republic of Indonesia Year 2020 Number 63) shall be amended as follows:

1. The provisions of Article 2 shall be amended to read as follows:

Article 2

The Pre-Employment Card Program shall aim to:

- a. develop workforce's competencies; and;
  - b. increase workforce's productivity and competitiveness
  - c. develop entrepreneurship.
2. The provisions of paragraph (3) of Article 3 shall be amended and after paragraph (4) shall be added by 1 (one) paragraph, namely paragraph (5), for Article 3 to read as follows:

Article 3

- (1) The Pre-Employment Card Program shall be implemented through the awarding of Pre-Employment Cards.
- (2) The Pre-Employment Cards as referred to in paragraph (1) shall be awarded to Job Seekers.
- (3) In addition to the Job Seekers as referred to in paragraph (2), the Employment Card may be awarded to:
  - a. Workers/Laborers affected by PHK; or
  - b. Workers/Laborers who need to improve their Work Competencies, including:



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1. Furloughed Workers/Laborers; and
  2. Non-wage workers, including micro and small business actors.
- (4) Job Seekers and Workers/Laborers as referred to in paragraph (2) and paragraph (3) shall meet the following requirements:
- a. Indonesian citizens;
  - b. no younger than 18 (eighteen) years old; and
  - c. not currently attending formal education.
- (5) The Pre-Employment Card as referred to in paragraph (1) may not be awarded to:
- a. State officials;
  - b. Leadership and Members of the Local People's Representative Council;
  - c. State Civil Apparatus;
  - d. Soldiers of Indonesian National Army;
  - e. Members of the Indonesian National Police;
  - f. Village Heads and village apparatus; and
  - g. Directors, Commissioners and the Supervisory Board of state-owned or Local-owned enterprises.
3. The provisions of paragraph (2) of Article 5 shall be amended to read as follows:

Article 5

- (1) Beneficiaries of the Pre-Employment Cards shall be entitled to receive an assistance of certain amount of Training Fee.
- (2) The training as referred to in paragraph (1) shall include:
  - a. provision of Work Competency and/or entrepreneurship;



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- b. improvement of work competency and/or entrepreneurship; or
- c. shifting of Work Competency.

(3) The training as referred to in paragraph (2) may be organized online and/or offline.

4. The provisions of paragraph (2) of Article 6 shall be amended to read as follows:

Article 6

(1) The training as referred to in Article 5 shall be organized by the Training institutions owned by:

- a. private;
- b. state-owned enterprises;
- c. local-owned enterprises; or
- d. the government.

(2) The Training Institutions as referred to in paragraph (1) shall meet the minimum requirements of:

- a. being in collaboration with the Digital Platforms;
- b. having a Work Competency-based Training program that is suitable to the needs of the labor market by considering national international and special work competency standards; and
- c. under the approval of the Implementing Management.

5. The provisions of paragraph (2) of Article 8 shall be amended to read as follows:

Article 8



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- (1) Incentives shall be given to the beneficiaries of the Pre-Employment Cards who have completed their Training program.
  - (2) The incentives as referred to in paragraph (1) shall be given in order to:
    - a. reduce the job seeking cost and living costs; and
    - b. evaluate the effectiveness of the Pre-Employment Card Program.
6. The provisions of Article 10 shall be added by 2 (two) paragraphs, namely paragraph (3) and paragraph (4), for Article 10 to read as follows:

Article 10

- (1) To be awarded with Pre-Employment Cards, the prospective beneficiaries shall register themselves with the Pre-Employment Card Program.
- (2) The Registration with the Pre-Employment Card Program shall be done online through the official website of the Pre-Employment Card Program.
- (3) In certain circumstances, the registration of the Pre-Employment Card Program as referred to in paragraph (1) may be done offline through ministries/agencies or local governments.
- (4) The certain circumstances as referred to in paragraph (3) shall include:
  - a. limited telecommunications infrastructure; and
  - b. implementation of policies stipulated by the National Government.



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7. The provisions of paragraph (1) and paragraph (4) of Article 11 shall be amended and between paragraph (1) and paragraph (2), 2 (two) paragraphs shall be inserted, namely paragraph (1a) and paragraph (1b), for Article 11 to read as follows:

Article 11

- (1) Applicants of the Pre-Employment Card Program who have fulfilled the requirements as referred to in Article 3 shall be selected.
- (1a) Selection as referred to in paragraph (1) shall:
- a. use population data and/or other data managed by ministries/agencies, local governments, and/or relevant agencies; and/or
  - b. give priority to certain applicants based on policies stipulated by the Job Creation Committee.
- (1b) In the framework of data use as referred to in paragraph (1a) letter a, the ministries/institutions, Local Governments, Organizing Body of Social Security Employment, Organizing Body of Social Security Health, the Corporate Company (Persero) PT *Dana Tabungan and Asuransi Pegawai Negeri* (Savings and Insurance Fund for Civil Servants) , and/or the Corporate Company (Persero) PT *Asuransi Sosial Angkatan Bersenjata Republik Indonesia* (Social Insurance for the Army of the Republic of Indonesia) shall provide access and/or data to the Implementing Management.
- (2) Applicants of the Pre-Employment Card Program who are certified of passing the selection as referred to in paragraph (1) shall be awarded with the Pre-Employment Card.
- (3) Beneficiaries of the Pre-Employment Cards as referred to in paragraph (2) shall select the types of Training in which they will participate through the Digital Platforms.
- (4) Further provisions regarding the procedures for registration, selection, selection of training types, Training institutions and



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utilization of the Pre-Employment Cards shall be regulated by a Regulation of Ministers administering the coordination, synchronization, and control of ministerial affairs in the government administration of economy.

8. Between CHAPTER II and CHAPTER III, 1 (one) chapter shall be inserted, namely CHAPTER IIA and between Article 12 and Article 13, 1 (one) article shall be inserted, namely Article 12A, to read as follows:

CHAPTER IIA

IMPLEMENTATION OF PRE-EMPLOYMENT CARD  
PROGRAM DURING THE PERIOD OF 2019 CORONA  
VIRUS DISEASE (COVID-19) PANDEMIC

Article 12A

- (1) The implementation of the Pre-Employment Card Program during the PERIOD OF THE 2019 Corona Virus Disease (COVID-19) pandemic shall be social assistance in nature in order to mitigate the impact of the 2019 Corona Virus Disease (COVID-19).
- (2) In the implementation of the Pre-Employment Card Program as referred to in paragraph (1), the Job Creation Committee may make adjustments to policies and/or actions related to registration, membership, training, partnerships, training costs and incentives, and other related policies and/or actions if necessary.
- (3) Further provisions regarding social assistance as referred to in paragraph (1) and adjustments to the policies and/or actions as referred to in paragraph (2) shall be regulated by a Regulation of Ministers administering the coordination, synchronization, and control of ministerial affairs in the government administration of economy.



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9. The provisions of Article 15 shall be amended to read as follows:

Article 15

The organizational structure of the Committee shall consist of:

Chairperson : Coordinating Minister of Economic Affairs;

Vice Chairperson : Presidential Chief of Staff;

Members : 1. Minister of State Secretary  
2. Minister of Home Affairs;  
3. Minister of Finance;  
4. Minister of Education and Culture;  
5. Minister of Manpower;  
6. Minister of Industry;  
7. Minister of National Development Planning/Head of National Development Planning Agency;  
8. Cabinet Secretary  
9. Attorney General  
10. The Chief of Police of the Republic of Indonesia;  
11. Head of the Financial and Development Supervisory Agency;  
12. Head of Government Procurement Policy Agency

Secretary : Coordinating Ministry of Economic Affairs.





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10. The provisions of paragraphs (2) and (4) of Article 19 shall be amended to read as follows:

Article 19

- (1) The Implementing Management as referred to in Article 17 shall have the duty of implementing the Pre-Employment Card Program.
- (2) In performing the duty as referred to in paragraph (1), the Implementing Management shall organize the functions of:
  - a. Operation of the Pre-Employment Card Program;
  - b. Development of technology to support the implementation of the Pre-Employment Card Program;
  - c. partnership and development of the Pre-Employment Card Program ecosystem;
  - d. communication and provision of legal infrastructure to support good governance in the implementation of the Pre-Employment Card Program;
  - e. monitoring and evaluation of the Pre-Employment Card Program;
  - f. management of human and financial resources to support the implementation of the Pre-Employment Card Program; and
  - g. provision of labor market information.
- (3) The Implementing Management as referred to in paragraph (1) shall be domiciled in the ministry administering the coordination, synchronization, and control of ministerial affairs in the government administration of economy and shall be responsible to the Chairperson of the Committee.
- (4) Further provisions regarding the criteria and procedures for the implementation of functions of partnership and development of the Pre-Employment Card Program ecosystem as referred to



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in paragraph (2) letter c shall be regulated by a Regulation of Ministers administering the coordination, synchronization, and control of ministerial affairs in the government administration of economy.

11. Between Article 31 and Article 32, 4 (four) articles shall be inserted, namely Article 31A, Article 31B, Article 31C and Article 31D, to read as follows:

Article 31A

The granting and implementation of benefits as referred to in Article 4 and the selection of the Digital Platforms and Training institutions as referred to in Article 6 paragraph (2) shall not include the scope of government procurement of goods/services but still pay attention to the objectives, principles, and ethics of government procurement of goods/services.

Article 31B

- (1) Policies that have been established by the Job Creation Committee and actions taken in implementing the Pre-Employment Card Program by the Implementing Management before this Presidential Regulation comes into force shall be declared valid as long as they are based on good faith.
- (2) The policies and actions as referred to in paragraph (1) shall include:
  - a. collaboration with the Digital Platforms, including with Training institutions that are in collaboration with the Digital Platforms;
  - b. determination of beneficiaries of the Pre-Employment Cards;



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- c. Training programs that have been curated by the Implementing Management and selected by beneficiaries of the Pre-Employment Cards;
  - d. the amount of training program costs;
  - e. Incentives that have been paid to the beneficiaries of the Pre-Employment Cards; and the amount of service fees charged by the Digital Platforms to the Training institutes.
- (3) The policies and actions as referred to in paragraph (1) may be followed by an evaluation by the Job Creation Committee.
- (4) Evaluation as referred to in paragraph (3) shall pay attention to feedbacks from the relevant ministries/agencies.

Article 31C

- (1) Beneficiaries of the Pre-Employment Cards who do not meet the provisions as referred to in Article 3 paragraph (2), paragraph (3), paragraph (4), and paragraph (5) and have received assistance of training costs as referred to in Article 5 paragraph (1) and/or the incentives as referred to in Article 8 shall be required to repay the assistance of training costs and/or incentives to the state.
- (2) In the event that the Beneficiaries of the Pre-Employment Cards do not repay the assistance of the Training Costs and/or Incentives as referred to in paragraph (1) within a period of no longer than 60 (sixty) days, the Implementing Management shall make a claim for compensation to the Beneficiaries of the Pre-Employment Cards.

Article 31D

In the event that the Beneficiaries of the Pre-Employment Cards intentionally falsify their identities and/or personal data, the Implementing Management shall file criminal charges that may be



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combined with claims for compensation pursuant to the provisions  
of laws and regulations.

Article II

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

For public cognizance, this Government Regulation shall be  
promulgated by placing it in the State Gazette of the Republic of  
Indonesia

Stipulated in Jakarta

at 7 July 2020

THE PRESIDENT OF THE  
REPUBLIC OF  
INDONESIA,

Signed

JOKO WIDODO

Promulgated in Jakarta

at 8 July 2020

MINISTER OF LAW AND HUMAN RIGHTS  
OF THE REPUBLIC OF INDONESIA  
AD INTERIM

signed



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MOHAMMAD MAHFUD MD

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2020  
NUMBER 170

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MINISTRY OF STATE SECRETARIATE  
OF THE REPUBLIC OF INDONESIA,  
Division of Laws and Regulations,

signed

Lydia Silvanna Djaman